

S. B. No. 318  
 S. B. No. 376  
 S. B. No. 509  
 S. B. No. 561  
 S. B. No. 597  
 S. B. No. 437  
 S. B. No. 371  
 S. B. No. 242  
 S. B. No. 336  
 S. B. No. 301  
 S. B. No. 446  
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 S. B. No. 619  
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 S. B. No. 607  
 S. J. R. No. 24

# SIXTY-NINTH DAY

(Monday, May 29, 1967)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Saturday, May 27, 1967 was dispensed with and the Journal was approved.

## Senate Resolution 754

Senator Watson offered the following resolution:

Whereas, Many years ago before the advancement of fire fighting facilities and techniques, the State Board of Insurance established the fire record credit and debit system as applicable to cities and towns in the State of Texas to encourage fire loss reduction; and

Whereas, The State Board of Insurance has also established a key rate system for cities and towns whereby insurance rates of such cities and towns are established according to their fire fighting equipment, water systems, and other factors in use therein which seem to fairly reflect the fire preventative abilities of the cities and towns of the state; and

Whereas, The cities and towns may suffer a substantial debit and the citizens thereof suffer a substantial increase in insurance premiums as the result of a single fire occurring within the limits of a city or town, which said debit may be in existence for several years as a result thereof; and

Whereas, The fire record credit and debit system applies only to insurance written in companies which are regulated by Chapter 5 of the Insurance Code, and no account is made of premiums or losses on risks insured by unregulated insurers; and

Whereas, The fire record credit and debit system is inherently out of balance and all citizens in this state who are insured by companies regulated by Chapter 5 of the Insurance Code are penalized as a result of the off-balance existing in such plan and their insurance rates may be both excessive and discriminatory; and

Whereas, Some cities and towns are enjoying a maximum credit under the fire record credit and debit system even though a large loss has occurred within such city and town as a result of a fire which was not insured or was insured by a company not regulated by Chapter 5 of the Insurance Code; and

Whereas, Said fire record credit and debit system should be modified or eliminated as may be dictated by a study made into its fairness; now, therefore, be it

Resolved by the Senate of the State of Texas, That the State Board of Insurance is requested to conduct a study of the fire record credit and debit system, utilizing for such purpose the Texas Legislative Council, the Texas Research League, or such other organization as may be helpful, to determine if the system should be continued in force, should be modified, or should be terminated and to provide a means for implementing such determination.

The resolution was read and was adopted.

#### Message From the House

Hall of the House of Representatives

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House refused to concur in Senate amendments to House Bill No. 428 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. House Conferees: Peeler, Dickson, J. Shannon, Hand, Ray.

H. C. R. No. 162, Commending American Airlines, Mr. C. R. Smith, Mr. Warren G. Woodward and other officials and employees of American Airlines for their many efforts to promote and publicize the historical and recreational features of Texas.

S. J. R. No. 6, Proposing an Amendment to the Constitution of the State of Texas authorizing each county in the State of Texas to pay all medical expenses, all doctor bills and all hospital bills for Sheriffs, Deputy Sheriffs, Constables, Deputy Constables and other county and precinct law enforcement officials who are injured in the course of their official duties; providing that while said Sheriff, Deputy Sheriff, Constable, Deputy Constable or other county or precinct law enforcement official is hospitalized or incapacitated that the county shall continue to pay his max-

imum salary; and providing that said salary payment shall cease on the expiration of the term of office to which such official was elected or appointed.

(With Amendment.)

S. B. No. 17, A bill to be entitled "An Act amending Section 2(a), Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as last amended by Chapter 466, Acts of the 59th Legislature, Regular Session, 1965, further defining "dangerous drugs" by adding subsection (14), and declaring an emergency."

(With amendments.)

S. B. No. 200, A bill to be entitled "An Act making supplemental appropriation to the Comptroller of Public Accounts, repealing laws in conflict; and declaring an emergency."

S. B. No. 307, A bill to be entitled "An Act amending Chapter 101, Acts of the 59th Legislature with reference to the funds from which bonds are to be paid and with reference to the investment of funds and the use of income from investments; and declaring an emergency."

S. J. R. No. 41, Proposing an Amendment to Section 51-a, Article III, Constitution of the State of Texas, to increase the amount of money which may be spent for old age assistance and other welfare programs.

(With amendments.)

S. B. No. 364, A bill to be entitled "An Act relating to the appointment of public weighers; amending Articles 5681, 5683, 5685, 5687, 5692, and 5702, Revised Civil Statutes of Texas, 1925, as amended, and repealing Article 5682; and declaring an emergency."

(With amendments.)

S. B. No. 431, A bill to be entitled "An Act exempting citizens of Texas with a family income of not more than \$4,800.00 from the payment of tuition and fees at institutions of collegiate rank and providing qualifications and requirements for eligibility; providing a method of administration; and declaring an emergency."

S. B. No. 527, A bill to be entitled

"An Act amending Article 14.19 of Chapter 14, Title 122A, "Taxation-General," Revised Civil Statutes of Texas (1925), as amended, by adding a new Subdivision (C) thereto which provides that the inheritance tax lien shall not attach to stock in a corporation incorporated and existing under the laws of the State of Texas that is owned by a non-resident decedent or his estate, and that such stock may be transferred without obtaining an authorization for transfer and release of lien from the Comptroller of Public Accounts; and declaring an emergency."

S. B. No. 528, A bill to be entitled "An Act amending Article 14.015 of Chapter 14, Title 122A, "Taxation-General," Revised Civil Statutes of Texas (1925), as amended, by adding a new Subsection (4) which exempts from the Texas Inheritance Tax the value of an annuity or other payment received by a named beneficiary which qualifies for exemption from the Federal Estate Tax under Subsection (c) of Section 2039 of the Internal Revenue Code of 1954, as now or hereafter amended; and declaring an emergency."

H. C. R. No. 114, Granting permission to Leonard Milstead to bring suit against the State of Texas.

The House has concurred in Senate amendments to H. C. R. No. 129 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 363 by vote of 140 ayes, 0 noes.

The House has adopted the Conference Committee Report on House Bill No. 570 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 166 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 867 by non-record vote.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 567.

House Conferees: Moyer, J. Shannon, Parker, Jamison, Nugent.

The House has granted the request

of the Senate for the appointment of a Conference Committee on Senate Bill No. 581.

House Conferees: Jim Clark, Wayne, Hale, Tom Bass, Duggan.

The House refused to adopt Conference Committee Report on S. B. 354 by vote of 86 ayes, 61 noes, and asks appointment of a new Conference Committee.

H. C. R. No. 168, Adjournment of the 60th Legislature of Texas.

H. C. R. No. 169, Correcting a House amendment to S. B. No. 174.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 17.

House Conferees: Finney, Joe Shannon, Nugent, Musgrove, Hand.

The House has adopted the Conference Committee Report on Senate Bill No. 581 by a non-record vote.

The House has concurred in Senate amendments to House Bill No. 266 by non-record vote.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 429.

House Conferees: Carrillo, Wright, Field, Santiesteban, Duggan.

The House has adopted the Conference Committee Report on H. J. R. No. 27 by a vote of 119 ayes, 16 noes.

H. C. R. No. 152, Memorializing Congress relative to laws restricting possession of firearms.

S. B. No. 261, A bill to be entitled "An Act relating to creation of the Fourteenth Supreme Judicial District, with the court to be held in Houston; amending Articles 198 and 1817, Revised Civil Statutes of Texas, 1925, as amended, and Section 2, Chapter 421, Acts of the 55th Legislature, Regular Session, 1957 (Article 1817a, Vernon's Texas Civil Statutes); and declaring an emergency."

(With Amendments.)

The House has adopted the Conference Committee Report on Senate Bill No. 567 by a non-record vote.

S. C. R. No. 85, Recalling S. B. No. 502 from the Governor's Office.

The House has concurred in Senate amendments to H. J. R. No. 3 by vote of 140 ayes, 0 noes.

The House has adopted the Conference Committee Report on House Bill No. 428 by a non-record vote.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 261.

House Conferees: Ogg, Haines of Brazos, Tom Moore, Thomas, Salter.

The House has concurred in Senate amendments to H. C. R. No. 143 by non-record vote.

The House has adopted the Conference Committee Report on Senate Bill No. 17 by a non-record vote.

The House has adopted the Conference Committee Report on Senate Bill No. 261 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 1265 by non-record vote.

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Senate Concurrent Resolution 94

Senator Strong offered the following resolution:

S. C. R. No. 94, Requesting the House of Representatives to return H. B. No. 363 as amended to the Senate for further consideration.

Whereas, House Bill No. 363 passed the Senate as amended and is now in the House pending concurrence; and

Whereas, The Senate desires the bill be returned to the Senate for further consideration; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That House Bill No. 363 be returned to the Senate for further consideration.

The resolution was read.

On motion of Senator Strong, and by unanimous consent, the resolution was considered immediately and was adopted.

#### House Concurrent Resolution 155 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 155, Creating an interim committee to study the Code of Criminal Procedure and the revision of the Penal Code.

The resolution was read.

Senator Connally asked unanimous consent that the resolution be considered immediately and be adopted.

There was objection.

On motion of Senator Connally, and by unanimous consent, further consideration of the resolution was withdrawn.

#### At Ease

On motion of Senator Hardeman, the Senate at 10:20 o'clock a.m. agreed to stand At Ease Subject to the Call of the Chair.

#### In Legislative Session

The President called the Senate to order as In Legislative Session at 10:31 o'clock a.m.

#### Senate Bill 500 With House Amendment

Senator Patman called S. B. No. 500 from the President's Table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

#### Amendment 1

Whereas, S. B. No. 500 by Patman has been introduced and passed in the Senate for the purpose of closing of bays and bayous off of Espiritu



Santo Bay and San Antonio Bay to commercial netting and fishing; and

Whereas, There are certain unnamed bayous opening off of these bays which if not included in the bill would negate the purpose of the same; and

Whereas, Such bill is being handled in the House of Representatives by State Representative R. H. "Dick" Cory, who has for many years fought the battles of the fishermen, both sports and commercial, in the House of Representatives as well as ably representing the shrimp industry in his section of the State; and

Whereas, It is the desire of the House of Representatives to name one of these unnamed bayous for the purpose of memorializing State Representative R. H. "Dick" Cory and perpetuating his name along the Coast in recognition of his work in the House of Representatives during the past thirteen years; and

Whereas, There is an unnamed bayou between Pat's Bay and Long Lake: now, therefore, the House of Representatives of the State of Texas does designate and name such bayou as Cory Cove and direct that such name be permanently affixed to such body of water, and that S. B. No. 500 be amended by inserting the words "Cory Cove", after the words Pat's Bay wherever the same appears in Section 1 of S. B. No. 500.

The House amendment was read.

Senator Patman moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

### Message From the House

Hall of the House of Representatives  
Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 171, Authorizing certain corrections in the Conference Committee Report on H. B. No. 428.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

### Co-authors of Senate Resolution 279

On motion of Senator Patman, and by unanimous consent, Senators Jordan, Harrington, Wilson, Kennard and Bernal will be shown as Co-authors of S. R. No. 279.

### Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolutions:

S. C. R. No. 88, Granting J. W. Luttes permission to sue the State.

S. C. R. No. 91, Authorizing En-grossing and Enrolling Clerk to make certain corrections in S. B. No. 18.

S. C. R. No. 89, Urging greater participation in Trade Missions and Trade Fairs in foreign countries.

S. C. R. No. 90, Relating to European Economic Community.

### Conference Committee Report on House Bill 570

Senator Herring submitted the following Conference Committee Report on H. B. No. 570:

Austin, Texas,  
May 26, 1967.

Hon. Preston Smith, President of the Senate.

Hon. Ben Barnes, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 570 have met and had same under

consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

HERRING  
CREIGHTON  
HIGHTOWER  
WORD  
RATLIFF

On the part of the Senate.

CREWS  
CORY  
HEATLY  
ROSSON  
MURRAY

On the part of the House.

H. B. No. 570,

A BILL

To Be Entitled

"An Act relating to qualifications for retirement of judges, and retirement and other benefits payable to judges or their beneficiaries; amending Section 2, Chapter 99, Acts of the 51st Legislature, Regular Session, 1949, as amended (Section 2, Article 6228b, Vernon's Texas Civil Statutes); providing an effective date; providing a severability clause; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 2, Chapter 99, Acts of the 51st Legislature, Regular Session, 1949 (Section 2, Article 6228b, Vernon's Texas Civil Statutes), as amended by Section 1, Chapter 439, Acts of the 58th Legislature, 1963, is amended to read as follows:

"Section 2. (a) Any judge in this State may, at his option, retire from regular active service after attaining the age of sixty-five (65) years and after serving on one or more of the courts of this State at least ten (10) years continuously or otherwise, provided that his last service prior to retirement shall be continuous for a period of not less than one year. Any person who has served on one or more of the courts of this State at least sixteen (16) years, continuously or otherwise, shall after attaining the age of sixty-five (65) years, be qualified for retirement pay under this Act. Any person retiring in accordance with this Act after the effective date of this amendment shall, during the remainder of such person's

lifetime, receive from the State of Texas monthly a base retirement payment equal to fifty per cent (50%) of the salary being received by such person per month from the State of Texas at the time of retirement or the monthly salary last received while serving on a Court of this State, whichever is applicable. An additional ten per cent (10%) of the applicable salary shall be added to the base retirement payments to the following judges:

(1) those eligible for retirement under any provisions of this Act as amended who retire at or before age seventy (70);

(2) those who are not eligible by length of service to retirement benefits at age 70 but who retire immediately upon becoming eligible; and

(3) those in office on September 1, 1967, who then are or during their current term of office will be seventy (70) or more years of age and who retire at or before the end of their current term of office; provided, however, the additional ten per cent (10%) benefit shall not be paid to any judge who has been out of office for a period of longer than one (1) year at the time he applies for retirement benefits under this Act.

"(b) The retirement payments of all persons who have retired under provisions of prior law shall continue without regard to the provisions of subsection (a) and such subsection shall not have the effect of increasing or diminishing such payments.

"(c) A person retiring under the provisions of this Act after September 1, 1967, shall have the right to accept a reduced annuity similar to that provided in the State Employees Retirement System Act so as to convert the actuarial equivalent of the retirement payments which would accrue to such person hereunder during the life expectancy of such person to either a joint survivorship annuity plan or a fixed term annuity plan similar to that provided in the State Employees Retirement System Act for the benefit of the spouse or a specified dependent of such person. Application for such plan shall be made to the State Employees Retirement Board within thirty (30) days after such person retires under this Act. A person who has retired under the provisions of this Act prior to

September 1, 1967, shall have the right to accept a reduced annuity in the manner set forth above provided (1) such person makes application therefor within ninety (90) days after September 1, 1967, and (2) repays to the State of Texas the difference between the reduced annuity and the amount actually received by such person in retirement payments. The ages upon which the reduced annuity shall be computed shall be the ages of the retired judge and the beneficiary as of the date of retirement. The beneficiary of an annuity plan under this subsection (c) shall not be entitled to any benefits under Section 6A of this Act."

Sec. 2. This Act is effective September 1, 1967.

Sec. 3. If any word, sentence, or provision of this Act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

Sec. 4. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the Rule is hereby suspended.

The Conference Committee Report was read and was adopted.

#### Message From the House

Hall of the House of Representatives  
Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 531, A bill to be entitled "An Act repealing the Stock Transfer Tax levied by Chapter 16 of Title 122A, "Taxation-General", Revised Civil Statutes of Texas (1925), as amended; fixing an effective date; and declaring an emergency."

S. C. R. No. 19, Granting Walter G. Schwarz permission to sue the state.

S. C. R. No. 29, Granting Willard Barnett, Jr. permission to sue the State of Texas.

S. C. R. No. 47, Granting J. C. Evans and George Evans permission to sue the State of Texas.

S. B. No. 628, A bill to be entitled "An Act appropriating Two Hundred Thousand Dollars to the Senate for per diem, other salaries and wages, consumable supplies and materials, current and recurring operating expenses, capital outlay, repairs and renovations to Capitol, other necessary expenses for the period ending August 31, 1967; and declaring an emergency."

The House has adopted the Conference Committee Report on Senate Bill No. 133 by a vote of 142 ayes, 0 noes.

S. C. R. No. 94, Requesting the House of Representatives to return H. B. No. 363 passed by the Senate as amended for further consideration.  
(With bill attached.)

H. C. R. No. 50, Granting permission to Edward Borgomainerio to sue the State of Texas.

H. C. R. No. 105, Granting permission to Mr. John A. Saldana to sue the State of Texas.

H. C. R. No. 140, Granting George Truett Wilson permission to sue the State of Texas.

H. B. No. 134, A bill to be entitled "An Act to relieve county assessors and collectors of taxes from liability for civil damages to private persons and corporations for acts performed in the exercise of their official functions; providing certain exceptions; and declaring an emergency."

H. C. R. No. 164, Directing the Enrolling and Engrossing Clerk of the Senate to make certain corrections in S. B. No. 28 and S. B. No. 29.

H. C. R. No. 167, Urging the executive and legislative branches of the United States Government to recognize the immediate urgency of the textile imports situation.

H. C. R. No. 143, Creating a Joint Interim Highway Safety Study Committee.

H. C. R. No. 145, Requesting the Coordinating Board, Texas College and University System, to make a study of the doctoral degree needs of the East Texas area.

S. C. R. No. 92, Relating to the importation and control of textile products; etc.

S. B. No. 581, A bill to be entitled "An Act creating the Texas Toll Bridge Authority and prescribing its membership, organization, powers, and duties; providing for financing of toll bridge projects; authorizing a certain toll bridge project; providing for incorporation of toll bridge projects into the State Highway System; making other provisions related to the subject of this legislation; prescribing certain penalties; and declaring an emergency."

(With Amendment.)

S. B. No. 610, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Staffordshire Municipal Utility District of Fort Bend County, Texas"; etc., and declaring an emergency."

(With Amendment.)

S. B. No. 614, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Galveston Island Ranches Municipal Utility District of Galveston County, Texas"; etc., and declaring an emergency."

(With Amendment.)

S. B. No. 615, A bill to be entitled "An Act relating to the Board of Directors of the "Gulf Freeway Municipal Utility District of Galveston County, Texas"; amending Section 4, Chapter 519, Acts of the 59th Legislature, Regular Session, 1965; and declaring an emergency."

S. B. No. 624, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Sweetwater Lake Municipal Utility District of Galveston County, Texas"; etc., and declaring an emergency."

S. B. No. 627, A bill to be entitled

"An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Spanish Grant Municipal Utility District of Galveston County, Texas"; etc., and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Vote on House Bill 363 Reconsidered

On motion of Senator Strong, and by unanimous consent, the vote by which H. B. No. 363 was finally passed was reconsidered.

The bill (H. B. No. 363) was again passed by the following vote:

Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

#### House Concurrent Resolution 162 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 162, Commending American Airlines, Mr. C. R. Smith, Mr. Warren Woodward, and others, for their efforts in publicizing Texas.

The resolution was read.

On motion of Senator Blanchard, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Senate Bill 174 With House Amendments

Senator Blanchard called S. B. No. 174 from the President's Table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

#### Committee Amendment 1

Amend S. B. No. 174, page 2, line 5 by inserting the following as an additional sentence under paragraph (2) of quoted Section 2 of Section 1 thereof:

"The value of any investment made under this Article shall be subject to Subdivision 1(c) of Article 3.40 of this Code."

#### Committee Amendment 2

Amend Section 1 of S. B. No. 174 by striking out all of Subsection (1) of Section 1 and inserting in lieu thereof the following:

"(1) The term 'improved income producing real estate' as used in this Article shall include all commercial and industrial real property, a substantial portion of which has been materially enhanced in value by the construction of durable, permanent-type buildings and other improvements costing an amount at least equal to the value of such real estate exclusive of buildings and improvements, as may be held or acquired by purchase or lease, or otherwise, for the production of income, excepting any agricultural, horticultural, farm and ranch property, residential property, single or multi-unit family dwelling property, which is expressly excluded."

#### Amendment 3

Amend S. B. No. 174 by striking all above the enacting clause and substituting in lieu thereof the following:

A bill to be entitled "An Act to amend Chapter Three of the Insurance Code (Acts 1951, 52nd Legislature, Chapter 491, as amended) by adding thereto a new Article to be designated Art. 3.40-1; providing that notwithstanding the provisions of Art. 3.40 of such Code any domestic life insurance company may invest any of its funds in improved income producing real estate and may hold, improve, maintain, manage, lease, sell or convey such property subject to specified terms, limitations, and restrictions; defining the term "(improved) income producing real estate"; limiting the amount of admitted assets which may be so invested; providing that the investment authority granted by

this Act is in addition to and separate and apart from the investment authority granted by Art. 3.40 except for the limitations of Subdivision 1(b) thereof; providing that the investments so made shall not be "Texas Securities"; providing that nothing contained in this Article shall permit such a life insurance company to purchase undeveloped real estate for the purpose of development or subdivision; regulating the percentage of admitted assets which may be so invested in any one year during the first seven years after the effective date of this Act; and declaring an emergency.

The House amendments were read.

Senator Blanchard moved that the Senate concur in the House amendments.

The motion prevailed.

#### Record of Votes

Senators Patman, Harrington, Mauzy, Creighton, Ratliff and Kennard asked to be recorded as voting "Nay" on the motion to concur in the House amendments.

#### Senate Bill 567 With House Amendments

Senator Kennard called S. B. No. 567 from the President's Table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

#### Amendment 1

Amend S. B. No. 567 by striking all below the enacting clause and substituting the following:

##### Article 1. 149th Judicial District

##### Section 1. Creation and Jurisdiction.

(a) The 149th Judicial District is created. Its boundaries are co-extensive with the boundaries of Potter County and Randall County, and its court is the 149th District Court.

(b) The 149th District Court has the jurisdiction provided for district courts by the Constitution and laws of this state. Its jurisdiction is concurrent in Potter County and in Randall County with that of the 47th and 108th District Courts.

##### Section 2. Terms of Court. The

terms of the 149th District Court begin on the first Monday in January and the first Monday in July of each year. Each term of the court continues until the next succeeding term convenes.

Sec. 3. Judge. (a) As soon as practicable after the effective date of this Act, the governor shall appoint as judge of the 149th District Court a person qualified to serve as a district judge under the Constitution and laws of this state. The judge appointed holds office until the next general election and until his successor is duly elected and qualified.

(b) The judge of the 149th District Court is entitled to the same compensation and allowances provided by the state and counties for the other district judges in Potter and Randall counties.

Sec. 4. Court Officials. (a) The judge of the 149th District Court may appoint an official court reporter. The reporter must meet the qualifications prescribed by law for that office and is entitled to the same compensation, fees, and allowances provided by law for other official court reporters.

(b) The district attorney of the 47th Judicial District shall serve as district attorney, and the sheriff and clerk in each county comprising the 149th Judicial District shall serve as sheriff and clerk, respectively, for the 149th District Court in his county. They shall perform the duties, and are entitled to the compensation and allowances, prescribed by law for their respective offices.

Sec. 5. Transfer of Causes. (a) The judges of the 47th, 108th and 149th District Courts may freely transfer causes, civil and criminal, to and from the dockets of their respective courts. The judges may also freely exchange benches and courtrooms with each other so that if a judge is ill, disqualified, or otherwise absent, another judge may hold court for him without the necessity of transferring the causes involved.

(b) A judge of one of the district courts of Potter County or Randall County may hear all or any part of a cause pending in another district court of the county; and he may rule and enter orders on, continue, determine, or render judgment on all or any part of the cause without the necessity of transferring it to his own docket.

## Article 2. 182nd Judicial District

Section 1. There is hereby created in and for Jefferson County, Texas, an additional District Court to be known as the District Court for the 182nd Judicial District of Texas composed of the County of Jefferson.

Sec. 2. The District Court for the 182nd Judicial District shall have and exercise concurrent jurisdiction with the 58th, 60th, and 136th District Courts within the limits of Jefferson County in all civil cases or proceedings and matters over which District Courts are given jurisdiction by the Constitution and laws of this State.

Sec. 3. The terms of the District Court for the 182nd Judicial District shall be as follows:

There shall be two terms of said District Court for the 182nd Judicial District in Jefferson County in each year, and the first term, which shall be known as the January-June term, shall be begun in said court on the first Monday in January and shall continue until and including Sunday next before the first Monday in July; and the second term, which shall be known as the July-December term, shall begin in said court on the first Monday in July, and shall continue until and including Sunday next before the first Monday in the following January.

Sec. 4. The place of sitting of the District Court for the 182nd Judicial District shall be as follows:

Said court, in the discretion of the judge presiding, may sit at Fort Arthur, Texas, for the trial of non-jury cases. Nothing herein, however, shall be construed to prevent the trial of non-jury cases at Beaumont, Texas, or to deprive the court of jurisdiction to try non-jury cases at the county seat.

Sec. 5. Immediately on the effective date of this Act, the Governor shall appoint a suitable person having the qualifications provided by the Constitution and laws of this State as judge of the District Court for the 182nd Judicial District, who shall hold office until the next general election, and until his successor shall be duly elected and qualified, as provided by the Constitution and laws of this State; and he shall receive such compensation as allowed other district judges under the laws of this State.

Sec. 6. The judge of the 182nd Dis-

trict Court is authorized to appoint an official shorthand reporter of such court who shall have the qualifications now required by law of official shorthand reporters. Such reporter shall perform such duties as are required by law, and such duties as may be assigned to him by the judge of the District Court for the 182nd Judicial District, and shall receive as compensation for his services the compensation now allowed to the official shorthand reporters under the laws of this State.

Sec. 7. The District Clerk of Jefferson County shall also act as district clerk for the 182nd Judicial District in Jefferson County. The District Clerk of Jefferson County shall docket alternately on the dockets of the District Courts of the 58th, 60th, 136th, and 182nd Judicial Districts in Jefferson County all civil cases, actions, petitions, applications and other proceedings filed in the District Courts of Jefferson County, so that the first case or proceeding filed after the effective date of this Act and every fourth case or proceeding thereafter filed shall be docketed in the 58th Judicial District Court; and the second case or proceedings filed and every fourth case or proceedings thereafter filed shall be docketed in the 60th Judicial District Court; and so forth. In this manner, all civil cases or proceedings shall be docketed in and distributed among the 58th Judicial District Court, the 60th Judicial District Court, the 136th Judicial District Court, and the 182nd Judicial District Court, one fourth to each of them when first filed. All civil suits and proceedings shall be filed by the Clerk in the order in which the petitions are presented to or deposited with him, and immediately after being so presented or deposited.

Any cases or proceedings pending on the dockets of the 58th, 60th, 136th, or 182nd District Courts may in the discretion of the judge thereof be transferred from one of said courts to either of the other, either in term time or in vacation, and the judges may in their discretion exchange benches or districts from time to time. In the case of the disqualification of the judge of any of said courts in any case or proceeding, such case or proceeding on the suggestion of such judge of the disqualification entered on the docket shall be trans-

ferred to another of said courts, and the order of transfer may be made by such disqualified judge or by any judge of another said court; or instead of transferring the case or proceeding, the judge of any other of said courts may sit in the court in which the case or proceeding is then pending and there try the same, and all transferred cases or proceedings shall be docketed by the Clerk accordingly.

Sec. 8. All process, writs, bonds, recognizances or other obligations issued out of District Courts of Jefferson County are hereby made returnable to the terms of the District Courts of Jefferson County, as said terms are fixed by law and by this Act, and all bonds executed and recognizances entered in said courts shall bind the parties for their appearance or to fulfill the obligations of such bonds or recognizances at the terms of such court as fixed by law and by this Act; and all process heretofore returned, as well as all bonds and recognizances heretofore taken in the District Courts of Jefferson County, shall be valid.

Sec. 9. The sheriff of Jefferson County shall attend, either in person or by deputy, the court as required by law in Jefferson County or when required by the judge thereof, and the sheriffs and constables of the several counties of this State when executing process out of said court shall receive fees provided by General Law for executing process out of District Courts.

Sec. 10. The provisions of Article 52-160a, Vernon's Texas Code of Criminal Procedure, as amended, shall be applicable to the court herein created as well as to the 58th, 60th, and 136th Judicial District Courts, as well as to the Criminal District Court of Jefferson County, Texas.

#### Article 3. 181st Judicial District

Section 1. An additional District Court is hereby created in and for the County of Denton, State of Texas, the limits of which District shall be coextensive with the limits of said County. Said Court shall be known as 181st District Court.

Section 2. Upon the effective date of this Act, the Governor shall appoint a Judge of the District Court for the 181st Judicial District, who shall have the qualifications required of judges of district courts of this state and who



shall hold his office until the next general election and until his successor is duly elected and qualified.

Section 3. The terms of the District Court of the 181st Judicial District shall be on the first Mondays in January and June, and each term of Court may continue in session until the Saturday night immediately preceding the Monday for convening the next regular term of such Court. In the above-named County in which there are two (2) District Courts, such District Courts shall have concurrent jurisdiction with each other in said County throughout the limits thereof of all matters, civil and criminal, of which jurisdiction is given to the District Court by the Constitution and laws of this state.

Section 4. The Judges of the 16th Judicial District Court, in and for Denton County, Texas, and the 181st Judicial District Court of Denton County, Texas, either in termtime or in vacation on motion of any party, or on agreement of the parties, or on their own motion transfer any case or proceeding, civil or criminal, on their Dockets to the Docket of the other District Court, and the Judges of said Courts may, in their discretion, exchange Benches or Districts from time to time, and whenever a Judge of one of said Courts is disqualified, he shall transfer the case or proceeding from his own Court to one of the other Courts, and any of said Judges may in his own Courtroom try and determine any case or proceeding pending in either of the other Courts without having the case transferred, or may sit in any of the other Courts, and there hear and determine any case or proceeding there pending, and said Judgment and Order shall be entered in the Minutes of the Court in which the case is pending, and two (2) or more Judges may try different cases in the same Court at the same time, and each may occupy his own Courtroom, or the room of any other Court. In the case of absence, sickness or disqualification of any of said Judges, any other of said Judges may hold Court for him. Any of said Judges may hear any part of any case or proceeding pending in any of said Courts, and determine the same or may hear or determine any question in any case or proceeding and any other of said Judges may complete the hearing and render Judgment in

the same. Any of said Judges may hear and determine, demurrers, motions, petitions for injunction, application for appointment of receivers, interventions, pleas of privilege, pleas in abatement and all dilatory pleas, motions for new trials and all preliminary matters, questions and proceedings and may enter Judgment or Order thereon in the Court in which the case or proceeding is pending without having the same transferred to the Court of the Judge acting and the Judge in whose Court the same is pending may thereafter proceed to hear, complete and determine the same or any other matter or any part thereof and render final Judgment thereon. Any of the Judges of said Courts may issue restraining orders and injunctions returnable to any of the other Judges of Courts.

The specific matters mentioned in this Section shall not be construed as a limitation on the powers of such Judges when acting for any other Judge by exchange of Benches or otherwise.

Section 5. The District Clerk, Sheriff and District Attorney of Denton County shall perform all the duties and functions relative to all District Courts of their County as is required by law for the District Court thereof.

#### Article 4. 183rd Judicial District

Section 1. There is hereby created in and for Tarrant County, Texas, an additional District Court to be known as the District Court of the 183rd Judicial District of Texas composed of the County of Tarrant.

Sec. 2. The District Court for the 183rd Judicial District shall have and exercise concurrent jurisdiction with the 17th, 48th, 67th, 96th, and 153rd District Courts within the limits of Tarrant County in all civil cases or proceedings and matters over which District Courts are given jurisdiction by the Constitution and laws of this State.

Sec. 3. The terms of the District Court of the 183rd Judicial District shall be as follows:

On the first Monday in February, May, August and November and may continue in session until the Saturday immediately preceding the Monday for the convening of the next regular term of such Court. Any term of the Court may be divided into as many sessions as the Judge thereof



may deem expedient for the disposition of business.

Sec. 4. Immediately on the effective date of this Act, the Governor shall appoint a suitable person having the qualifications provided by the Constitution and laws of this State as Judge of the District Court for the 183rd Judicial District who shall hold office until the next general election and until his successor shall be duly elected and qualified as provided by the Constitution and laws of this State, and he shall receive such compensation as allowed other District Judges under the laws of this State.

Sec. 5. The Judge of the 183rd District Court is authorized to appoint an official shorthand reporter of such Court who shall have the qualifications now required by law of official shorthand reporters. Such reporter shall perform such duties as are required by law and such duties as may be assigned to him by the Judge of the 183rd District Court and shall receive as compensation for his services the compensation now allowed other official shorthand reporters under the laws of this State.

Sec. 6. The District Clerk of Tarrant County shall also act as District Clerk for the 183rd Judicial District in Tarrant County.

Sec. 7. The Judge of any of the District Courts in Tarrant County may in his discretion try and dispose of any causes, matters or proceedings for any other Judge of said Courts. Either of the Judges of said District Courts of Tarrant County may at his discretion at term-time or in vacation transfer a case or cases to said other District Court with the consent of the Judge of said other District Court by order entered in the minutes of his Court. When such transfer is ordered, the District Clerk of Tarrant County shall certify all orders made in said case and such certified copies of such orders together with the original papers shall be filed among the papers of the case thus transferred and the fees thereof shall be taxed as part of the cost of said suit and the Clerk of said Court shall docket any such case in the Court to which it shall have been transferred, and when so entered, the Court to which the same shall have been thus transferred shall have like jurisdiction therein as in cases originally filed in said Court. All process and writs issued out of the District

Court from which any such transfer is made shall be returnable to the Court to which said transfer is made, according to the terms of the District Court or the respective Courts as fixed by this Act.

Sec. 8. The Sheriff of Tarrant County shall attend either in person or by deputy the Court as required by law in Tarrant County or when required by the Judge thereof, and the Sheriffs and Constables of the several counties of this State when executing process out of said Court shall receive fees provided by General Law for executing process out of District Courts.

Sec. 9. All processes, writs, bonds, recognizances or other obligations issued out of the District Courts of Tarrant County are hereby made returnable to the terms of the District Courts of Tarrant County as said terms are fixed by law and by this Act, and all bonds executed and recognizances entered in said Court shall bind the parties for their appearance or to fulfill the obligations of such bonds or recognizances at the terms of such Court as fixed by law and by this Act; and all process heretofore returned, as well as all bonds and recognizances heretofore taken in the District Courts of Tarrant County, shall be valid.

#### Article 5. Miscellaneous Provisions

Section 1. Severability Clause. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are declared to be severable.

Sec. 2. Emergency Clause. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

#### Amendment 1

Amend S. B. No. 567 by setting up a new article properly numbered.

Article —. 300th Judicial District  
Section 1. Creation and Jurisdiction.

(a) The 300th Judicial District is created. Its boundaries are coextensive with the boundaries of Kerr and Bandera Counties.

(b) The 300th District Court has the jurisdiction provided for district courts by the Constitution and laws of this state. The jurisdiction of the 300th District Court is concurrent with that of the State of Texas.

Sec. 2. Terms of Court. The terms of the 300th District Court begin on the first Monday in January and the first Monday in July of each year. Each term of the court continues until the next succeeding term convenes.

Sec. 3. Judge. (a) As soon as practicable after the effective date of this Act, the Governor shall appoint as Judge of the 300th District Court a person qualified to serve as a district judge under the Constitution and laws of this state. The judge appointed holds office until the next general election and until his successor is duly elected and qualified.

(b) The judge of the 300th District Court is entitled to the same compensation and allowances provided by the state for other district judges, and to a supplement of \$5,900 a year divided equally among the counties of the district.

Sec. 4. Court Officials. (a) The Judge of the 300th District Court may appoint an official court reporter. The reporter must meet the qualifications prescribed by law for that office and is entitled to the same compensation, fees, and allowances provided by law for the official court reporter of the 49th Judicial District.

(b) The District Attorney of the Second 38th Judicial District shall serve as the District Attorney in Kerr and Bandera Counties. The sheriff and clerk of each county comprising the 300th Judicial District shall serve as sheriff and clerk, respectively, of the 300th District Court. They shall perform the duties, and are entitled to the compensation and allowances, prescribed by law for their respective offices.

(c) The Judge of the 300th District Court may appoint an officer for each of the counties in their respective districts to act as bailiff or bailiffs for said court. Each such bailiff or bailiffs appointed shall be paid a salary out of the general fund of the county of such court as set by the District Court making such appoint-

ment, with the approval of the Commissioners Court of the county of such court. The bailiff or bailiffs shall perform any and all duties imposed upon bailiffs in this state under the General Laws. In addition thereto, the bailiff shall perform such duties as are required by the District Judge appointing such officer. The bailiff thus appointed is subject to removal without cause at the will of the appointing judge. Bailiffs thus appointed shall be duly deputized by the sheriff of such county, in addition to other deputies now authorized by law, upon the request of the District Judge or District Judges.

Sec. 5. Transfer of Causes. (a) In any county of the 300th Judicial District where the jurisdiction of the 300th District Court is concurrent with that of another district court, the judges of the two district courts having concurrent jurisdiction may freely transfer causes, civil and criminal, to and from the dockets of their respective courts. The judges may also freely exchange benches and courtrooms with each other so that if a judge is ill, disqualified, or otherwise absent, another judge may hold court for him without the necessity of transferring the cause involved.

(b) In any county of the 300th Judicial District where the jurisdiction of the 300th District Court is concurrent with that of any other district court, a judge of one of the district courts having such concurrent jurisdiction may hear all or any part of a cause pending in another district court of that county; and he may rule and enter orders on, continue, determine, or render judgment on all or any part of the cause without the necessity of transferring it to his own docket.

Sec. 6. Subdivision 49, Article 199, Revised Civil Statutes of Texas, 1925, as last amended by Section 1, Chapter 34, Acts of the 48th Legislature, Regular Session, 1943, is amended to read as follows:

"The judge of said court in his discretion may hold as many sessions of court in any term of the court in any county as is deemed by him proper and expedient for the dispatch of business.

"All process issued and returnable to a succeeding term of court, and all bonds and recognizances made and all grand and petit juries drawn before this Act takes effect shall be

valid for and returnable to the next succeeding terms of the District Court of the several counties as herein fixed as though issued and served for such terms and returnable to and drawn for the same. All process issued and made returnable on or before Monday next after the expiration of twenty (20) days from the date of service thereof shall be valid, and unaffected by this Act.

"It is further provided that if any court in any county of said district shall be in session at the time this Act takes effect, such court or courts affected thereby shall continue in session until the time for the beginning of the next succeeding term therein, as provided for herein, and any court in any county of said district which is not in session at the time this Act takes effect may be opened for a new term at any time at the discretion of the judge thereof and shall continue in session until the time for the beginning of the next succeeding term therein, as provided for herein; but thereafter all courts in said district shall conform to the requirements of this Act."

Sec. 8. Article 322, Revised Civil Statutes of Texas, 1925, as last amended by Section 1, Chapter 306, Acts of the 48th Legislature, 1943 is amended to read as follows:

"The following Judicial Districts in this state shall each respectively elect a District Attorney, viz.: 1st, 2nd, 3rd, 5th, 7th, 8th, 9th, 12th, 21st, 22nd, 23rd, 24th, 25th, 27th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 38th, 39th, 42nd, 46th, 47th, 49th, 50th, 51st, 52nd, 53rd, 63rd, 64th, 69th, 70th, 72nd, 75th, 76th, 79th, 81st, 83rd, 90th, 100th, 106th, 170th and 300th. There shall also be elected a Criminal District Attorney for Harris County, a Criminal District Attorney for Dallas County, a Criminal District Attorney for Tarrant County, and one Criminal District Attorney for the Counties of Nueces, Kleberg, Kenedy, Willacy and Cameron."

#### Amendment 2

Amend the last section of S. B. No. 567 by striking the words "its passage" and substituting the words "September 1, 1967".

The House amendments were read.

Senator Kennard moved that the

Senate do not concur in the House amendments, and that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following Conferees on the part of the Senate on the bill: Senators Kennard, Creighton, Harrington, Hall and Word.

#### House Concurrent Resolution 154 on Second Reading

Senator Herring asked unanimous consent to suspend the regular order of business and take up H. C. R. No. 154 for consideration at this time.

There was objection.

Senator Herring then moved to suspend the regular order of business and Senate Rule 37 and take up H. C. R. No. 154 for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

The President laid before the Senate the following resolution:

H. C. R. No. 154, Granting McCarty-Connally Company permission to sue the University of Texas.

The resolution was read and was adopted.

#### House Bill 794 on Second Reading

Senator Moore moved that Senate Rules 13, 32, 37, and 38 and the

Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 794 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 794, A bill to be entitled "An Act to provide that any person certified to teach in the public schools of Texas who holds a bachelor of laws degree shall have his minimum salary calculated on the basis of a master's degree; and declaring an emergency."

The bill was read the second time and was passed to third reading.

#### House Bill 794 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 794 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—31

Aikin	Connally
Bates	Creighton
Bernal	Grover
Berry	Hall
Blanchard	Hardeman
Brooks	Harrington
Christie	Hazlewood
Cole	Herring

Hightower  
Jordan  
Kennard  
Mauzy  
Moore  
Parkhouse  
Patman  
Ratliff

Reagan  
Schwartz  
Strong  
Wade  
Watson  
Wilson  
Word

#### Conference Committee Report on Senate Bill 354

Senator Word by unanimous consent submitted the following Conference Committee Report on S. B. No. 354:

Austin, Texas,  
May 27, 1967.

Hon. Preston Smith, President of the Senate.

Hon. Ben Barnes, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill No. 354 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

WORD  
HALL  
AIKIN  
CHRISTIE  
HIGHTOWER

On the part of the Senate.

CLAYTON  
HINSON  
WAYNE  
BIRKNER  
T. SHANNON

On the part of the House.

S. B. No. 354,

#### A BILL To Be Entitled

An Act authorizing the commissioners court of each county within the state to expend county funds for membership fees and dues to a non-profit state association or organization of counties; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. The commissioners court of each county within the state is authorized to approve the expenditure of county funds from the General Fund for membership fees and

dues assessed by a non-profit state association or organization of counties if

(1) the membership in such an association or organization of counties is approved by majority vote of the commissioners court;

(2) the association or organization of counties is established and designed for the betterment of county government and the benefit of all county officials; and

(3) the expenditure authorized by this section is made in the name of the county.

(4) The association or organization of counties is not affiliated in any way with a labor organization.

(5) The expenditure does not exceed Five Hundred (\$500) Dollars per county per year.

Sec. 2. It shall be unlawful for any funds of the Association to be used, directly or indirectly, in connection with any political campaign for or against any candidate for any public office in this state.

Sec. 3. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision of application of the Act which can be given effect without the invalid provision of application, and to this end the provisions of this Act are declared severable.

Sec. 4. Emergency Clause. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted.

#### **Senate Bill 581 With House Amendments**

Senator Brooks called S. B. No. 581 from the President's Table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

#### **Committee Amendment 1**

Amend Section 1 of Senate Bill No 581 to read as follows:

"Section 1. Construction, Maintenance, and Operation Authorized. To facilitate vehicular traffic between Interstate Highway 10 and State Highway 225 in Harris County, across the Houston Ship Channel, to assist in effecting traffic safety, to facilitate the construction of modern expressways, to provide better connections between highways of the State of Texas and the highway system of adjoining states, including cooperation between states, the Harris County Toll Bridge Authority, hereinafter created, is hereby authorized and empowered to construct, maintain, repair and operate Toll Bridge Project (as hereinafter defined), and to issue toll bridge bonds of the Harris County Toll Bridge Authority, payable solely from the revenues of such projects.

#### **Committee Amendment 2**

Amend S. B. No. 581 by substituting "Harris County Toll Bridge Authority" for "Texas Toll Bridge Authority" in Section 3(a) and in Section 4(a).

#### **Committee Amendment 3**

Amend S. B. No. 581 by striking the following words in Section 5(h) of the bill:

In lines 33 and 34, page 4, the words "Including public parks, playgrounds, or reservations,"

In lines 36 and 37, page 4, the words "except for parks and playgrounds and".

#### **Committee Amendment 4**

Amend Section 5 of S. B. No. 581 by striking subdivision (d) and substituting the following:

"(d) To construct, maintain, repair, and operate the San Jacinto Toll Bridge Project as specified in Section 17 of this Act, subject to approval by the State Highway Commission; provided that the Authority shall have no power to fix charge, or collect tolls for transit over any existing free public highway."

#### **Amendment 5**

Amend Section 17 of Senate Bill No. 581 by adding a sentence at the

end of the section to read as follows: "Provided, however, this section shall be inoperative if before January 1, 1968, the voters of Harris County approve a bond issue for the building of a bridge, whether free or toll, at the site designated in this section."

#### Committee Amendment 6

Amend Senate Bill No. 581 by striking all above the enacting clause and substituting the following:

#### A BILL To Be Entitled

An Act authorizing a toll bridge project in Harris County to be called the San Jacinto Toll Bridge; creating the Harris County Toll Bridge Authority and prescribing its membership, organization, powers, and duties; providing for financing of the toll bridge project; providing for incorporating the toll bridge project into the State Highway System; making other provisions related to the subject of this legislation; prescribing certain penalties; and declaring an emergency.

The House amendments were read.

Senator Brooks moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following Conferees on the part of the Senate on the bill: Senators Brooks, Jordan, Cole, Grover and Schwartz.

#### Motion to Place House Bill 290 on Second Reading

Senator Herring asked unanimous consent to suspend the regular order of business and take up H. B. No. 290 for consideration at this time.

There was objection.

#### Senate Joint Resolution 41 With House Amendments

Senator Bernal called S. J. R. No. 41 from the President's Table for consideration of the House amendments to the resolution.

The President laid the resolution

and the following House amendments before the Senate:

#### Amendment 1

Amend Senate Joint Resolution No. 41 by striking all below the Resolving Clause and substituting in lieu thereof the following:

"Section 1. That Section 51-a of Article III of the Constitution of the State of Texas be amended, and the same is hereby amended, so as to read as follows:

"Section 51-a. The Legislature shall have the power, by General Laws, to provide, subject to limitations herein contained, and such other limitations, restrictions and regulations as may by the Legislature be deemed expedient, for assistance to and/or medical care for, and for rehabilitation and any other services included in the Federal legislation providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and for the payment of assistance to and/or medical care for, and for rehabilitation and other services for:

'(1) Needy aged persons who are citizens of the United States or non-citizens who shall have resided within the boundaries of the United States for at least twenty-five (25) years and are over the age of sixty-five (65) years;

'(2) Needy individuals who are citizens of the United States who shall have passed their eighteenth (18th) birthday but have not passed their sixty-fifth (65th) birthday and who are totally and permanently disabled by reason of a mental or physical handicap or a combination of physical and mental handicaps;

'(3) Needy blind persons who are citizens of the United States and who are over the age of eighteen (18) years;

'(4) Needy children who are citizens of the United States and who are under the age of twenty-one (21) years, and to the caretakers of such children.

The Legislature may define the residence requirements, if any, for participation in these programs.

The Legislature shall have authority to enact appropriate legislation which will enable the State of Texas to cooperate with the Government of the United States in provid-

ing assistance to and/or medical care on behalf of needy persons, and in providing rehabilitation and any other services included in the Federal legislation providing matching funds to help such families and individuals attain or retain capability for independence or self-care and to accept and expend funds from the Government of the United States for such purposes in accordance with the laws of the United States as they now are or as they may hereafter be amended, and to make appropriations out of State Funds for such purposes; provided that the maximum amount paid out of State funds to or on behalf of any individual recipient shall not exceed the amount that is matchable out of Federal funds; provided that the total amount of such assistance payments and/or medical assistance payments out of State funds on behalf of such recipients shall not exceed the amount that is matchable out of Federal funds; provided that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate Federal statutes as they now are or as they may be amended, to the extent that Federal matching money is not available to the State for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such Federal matching money will be available for assistance and/or medical care for or on behalf of needy persons; and provided further that the total amount of money to be expended per fiscal year out of State funds for assistance payments only to recipients of the Old Age Assistance, Aid to the Permanently and Totally Disabled, Aid to the Blind, and Aid to Families with Dependent Children shall never exceed Seventy-five Million (\$75,000,000) Dollars.

'Nothing in this Section shall be construed to amend, modify or repeal Section 31 of Article XVI of this Constitution; provided further, however, that such medical care, services or assistance shall also include the employment of objective or subjective means, without the use of drugs, for the purpose of ascertaining and measuring the powers of vision of the human eye, and fitting lenses or prisms to correct or remedy any de-

fect or abnormal condition of vision. Nothing herein shall be construed to permit optometrists to treat the eyes for any defect whatsoever in any manner nor to administer nor to prescribe any drug or physical treatment whatsoever, unless such optometrist is a regularly licensed physician or surgeon under the laws of this State.'"

"Section 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November, 1968, at which election all ballots shall have printed thereon the following:

"FOR the Constitutional Amendment raising the limit on the amount that may be expended in any one year out of State funds for Public Assistance payments only to Seventy-five Million (\$75,000,000) Dollars.

"AGAINST the Constitutional Amendment raising the limit on the amount that may be expended in any one year out of State funds for Public Assistance payments only to Seventy-five Million (\$75,000,000) Dollars."

"Section 3. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election and have the same published and held as required by the Constitution and the Laws of the State of Texas."

#### Amendment 2

Amend House Committee Amendment No. 1 to S. J. R. No. 41 by adding the following at the end of Section 3:

"The publication of this amendment shall be limited to the publication of Sections 1 and 2 of this resolution only."

#### Amendment 3

Amend Senate Joint Resolution No. 41 by striking all above the Resolving Clause and substituting in lieu thereof the following:

#### "A JOINT RESOLUTION

"PROPOSING an Amendment to the Constitution of the State of Texas, amending Section 51-a of Article III by raising the limit on the amount that may be expended in any one year out of State funds for Public Assistance payments

only to Seventy-five Million (\$75,000,000) Dollars; providing for the necessary election, form of ballot, proclamation, and publication."

The House amendments were read.

Senator Bernal moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

#### **Presentation of Gifts to Members of the Senate**

The President recognized Senator Hall, and requested him to proceed to the President's Rostrum.

Senator Hall proceeded to the President's Rostrum and read a letter from Mr. H. B. Zachry, President of HemisFair thanking the Members of the Senate for their help in making HemisFair a reality. On behalf of the officials, the San Antonio delegation and those people interested in HemisFair, he presented a pair of gold cuff links to Lieutenant Governor Smith and stated that there were the same gifts for all Members of the Senate.

Lieutenant Governor Smith thanked Senator Hall for himself and for the Members for the nice gesture of the officials of HemisFair.

#### **At Ease**

On motion of Senator Wilson the Senate agreed to stand At Ease at 10:55 o'clock a.m. until 11:30 o'clock a.m. today.

#### **In Legislative Session**

The President called the Senate to

order as In Legislative Session at 11:30 o'clock a.m. today.

#### **House Concurrent Resolution 164 on Second Reading**

The President laid before the Senate the following resolution:

H. C. R. No. 164, Directing the Enrolling and Engrossing Clerk of the Senate to make certain corrections in S. B. No. 28 and S. B. No. 29.

The resolution was read.

Senator Watson asked unanimous consent that the resolution be considered immediately and be adopted.

There was objection.

On motion of Senator Watson and by unanimous consent further consideration of the resolution was withdrawn.

#### **Bill Signed**

The President signed in the presence of the Senate after the caption had been read, the following bill:

H. B. No. 120, A bill to be entitled "An Act relating to a minimum salary for school bus drivers, etc., and declaring an emergency."

Signed, subject to the provisions of Section 49A of Article III of the Constitution of the State of Texas.

#### **Bills and Resolutions Signed**

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. J. R. No. 20, House Joint Resolution Proposing an Amendment to Section 11a, Article VII of the Constitution of Texas providing for the investment of the Permanent University Fund by the Board of Regents of The University of Texas System in certain types of securities within the prudent man rule.

H. J. R. No. 49, Proposing an amendment to Section 21 of Article 16 of the Constitution of the State of Texas so as to not require approval by the governor, secretary of state and the comptroller of certain materials and services purchased contracts.



H. C. R. No. 112, Establishing a state park to include Sabinal Canyon.

H. C. R. No. 135, Congratulating Tommy "Snuff" Garrett.

H. C. R. No. 150, Memorial resolution for Roy Taylor Stockman.

H. C. R. No. 160, Granting Frank S. Buhler permission to sue the State of Texas.

H. C. R. No. 165, Directing the Enrolling Clerk to make corrections in H. B. No. 1161.

H. B. No. 78, A bill to be entitled "An Act to amend Article 3930, Revised Civil Statutes of Texas, 1925, as amended by Acts 1957, 55th Legislature, Page 477, Chapter 228, relating to fees which county clerks and clerks of county courts shall receive for their services; containing a repealing clause; repealing all laws and parts of laws in conflict to the extent of conflict only, with the provisions of this Act; containing a saving clause; and declaring an emergency."

H. B. No. 522, A bill to be entitled "An Act amending Section 4 of House Bill No. 578, Chapter 209, Acts of the 48th Legislature, Regular Session, 1943, relating to the taking or killing Wild Deer, Collared Peccary, Wild Quail, and White-Winged Doves; the issuing of permits; providing a repealing clause; and declaring an emergency."

H. B. No. 579, A bill to be entitled "An Act relating to fees collected by sheriffs and constables; amending Section 1, Chapter 696, Acts of the 59th Legislature, Regular Session, 1965 (Article 3933a, Vernon's Texas Civil Statutes); repealing Article 3933, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 602, A bill to be entitled "An Act amending Chapter 156, Acts of the 40th Legislature, Regular Session, 1927, as amended by Chapter 398, Acts of the 59th Legislature, Regular Session and codified in Vernon's as Article 200a, Vernon's Texas Civil Statutes, by adding thereto a new section to be numbered Section 11 so as to authorize supplementary compensation for performing duties as Presiding Judges of Administra-

tive Judicial Districts; fixing the maximum amount of such supplementary compensation; making other provisions relating thereto; providing for a repealing clause; providing a severability clause; and declaring an emergency."

H. B. No. 742, A bill to be entitled "An Act relating to the notice required for terminating certain tenancies; and declaring an emergency."

H. B. No. 784, A bill to be entitled "An Act requiring school districts to appoint liaison officers for court-related children, and prescribing their duties; and declaring an emergency."

H. B. No. 863, A bill to be entitled "An Act creating the County Court at Law of Guadalupe County; providing for its jurisdiction, terms, personnel, administration, practice, and facilities; and declaring an emergency."

H. B. No. 918, A bill to be entitled "An Act amending Section 1, Chapter 125, Acts of the 52nd Legislature, 1951, as amended, relating to the regulatory authority of the Parks and Wildlife Commission in certain counties, to add Karnes and Wilson Counties to the list of counties regulated; and declaring an emergency."

H. B. No. 986, A bill to be entitled "An Act validating ad valorem tax bonds heretofore issued by any city for public recreation tower structure purposes, etc.; and declaring an emergency."

H. B. No. 1182, A bill to be entitled "An Act establishing Hubbard Creek Lake State Park; etc.; and declaring an emergency."

H. B. No. 1195, A bill to be entitled "An Act adding land to Harris County Water Control and Improvement District No. 83, describing the boundaries of such added land; deleting from Harris County Fresh Water Supply District No. 49 all area which overlaps such added land; etc.; and declaring an emergency."

H. B. No. 1239, A bill to be entitled "An Act to amend Sections 4 and 5 of Chapter 273, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 8280-200, V.A.T.C.S.), relating to Elm Creek Watershed Authority so as to more fully de-

fine and expand the powers of the same; etc., and declaring an emergency."

H. B. No. 1245, A bill to be entitled "An Act relating to the creation of Colonia-Chaparral Municipal Utility District Court in Guadalupe County; as a conservation and reclamation district under the provisions of Section 59, Article XVI, of the Constitution of the State of Texas; prescribing the powers, duties, functions and procedures of the district; and declaring an emergency."

H. B. No. 1271, A bill to be entitled "An Act amending Section 2, Chapter 25, Acts of the 55th Legislature, 1st Called Session, 1957, so as to alter and decrease the size of the Ecletto Creek Watershed District; and declaring an emergency."

H. B. No. 1272, A bill to be entitled "An Act relating to the area of the Evergreen Underground Water Conservation District; employment of an administrator; compensation of director; assessment and collection of taxes; and exclusion of land from the district; amending Section 4, 8, 9, 21, and 36, Chapter 197, Acts of the 59th Legislature, Regular Session, 1965 (Article 8280-297, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1297, A bill to be entitled "An Act providing no motor vehicle shall draw more than three motor vehicles attached thereto by the triple saddle mount method; amending Subsection (d), Section 106, Chapter 421, Acts of the 50th Legislature, 1947, as added by Section 1, Chapter 100, Acts of the 54th Legislature, 1955 (Article 6701d, Vernon's Texas Civil Statutes); and declaring an emergency."

H. C. R. No. 88, Granting permission to Mrs. John B. Barbour and Mr. Hugh Preston to sue the State of Texas.

H. B. No. 43, A bill to be entitled "An Act relating to the granting of permits to and regulation of persons who haul and dispose of water containing salt or other mineralized substances produced by the drilling of an oil or gas well, or produced in connection with the operation of an

oil or gas well; prohibiting hauling without a permit and providing a penalty for violation; prohibiting the use of haulers without a permit and providing a penalty for violation; and declaring an emergency."

H. B. No. 412, A bill to be entitled "An Act relating to the membership and compensation of the Hunt County Juvenile Board and the compensation of the juvenile court clerk; amending Sections 1 and 4, Chapter 305, Acts of the 56th Legislature, Regular Session 1959 (Article 5139CC, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 455, A bill to be entitled "An Act authorizing justices of the peace of the same county to hold court for each other and to exchange benches; amending Chapter 2, Title 45, Revised Civil Statutes of Texas, 1925, by adding a new Article 2393a; and declaring an emergency."

H. B. No. 490, A bill to be entitled "An Act relating to the creation, administration, powers, duties and financing of a hospital district in Sherman County, to be known as Texhoma Memorial Hospital District, by authority of Section 9, Article IX, Constitution of the State of Texas; and declaring an emergency."

H. B. No. 611, A bill to be entitled "An Act amending Section 2, Chapter 163, General Laws, Acts of the 42nd Legislature, Regular Session, 1931, as amended (Article 2368a, Vernon's Texas Civil Statutes of Texas, 1925, ting of contracts by cities and counties; and declaring an emergency."

H. B. No. 680, A bill to be entitled "An Act amending Article 8308, Revised Civil Statutes of Texas, 1925, as heretofore amended, by the addition thereto of a new section to be designated Section 18 to authorize employers to furnish workmen's compensation benefits to additional employees or classifications of employees by purchasing appropriate insurance; providing for severability and repeal of conflicting laws; and declaring an emergency."

H. B. No. 697, A bill to be entitled "An Act relating to cash reserves of state banks; amending Article 6, Chapter 6, Texas Banking Code, 1943, as amended (Article 342-606, Vernon's

Texas Civil Statutes); and declaring an emergency."

H. B. No. 872, A bill to be entitled "An Act providing for the compensation of the official shorthand reporters of the 117th, 94th, 28th and 105th Judicial District Courts, the Court of Domestic Relations of Nueces County, Texas, and the County Courts at Law Nos. 1 and 2 of Nueces County, Texas; providing the manner of payment; repealing Acts 1963, 58th Legislature, page 784, Chapter 302 (codified as Article 2326j-32, Vernon's Texas Civil Statutes of the State of Texas); and declaring an emergency."

H. B. No. 939, A bill to be entitled "An Act directing the Texas Department of Parks and Wildlife to transfer control and custody of the Washington-on-the-Brazos Museum Building and its contents; repealing laws in conflict; providing a severability clause; and declaring an emergency."

H. B. No. 1213, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'City of Cities Municipality Utility District'; declaring district a governmental agency, body politic and corporate; defining the boundaries, etc.; and declaring an emergency."

H. B. No. 1235, A bill to be entitled "An Act relating to the compensation of investigators and assistants of the District Attorney of the 30th Judicial District; amending Section 1, Chapter 403, Acts of the 55th Legislature, Regular Session, 1957 (Article 326k-40, Vernon's Texas Civil Statutes); repealing Section 2a, Chapter 206, Acts of the 50th Legislature, 1947 (Article 326k-12, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1295, A bill to be entitled "An Act relating to maximum compensation that may be paid to justices of the peace in certain counties; and declaring an emergency."

H. B. No. 1316, A bill to be entitled "An Act to amend the Harris County Road Law, Acts, 1913, 33rd Legislature, Special Laws, page 64, Ch. 17, as amended, by amending Sec. 9 thereof; etc., and declaring an emergency."

H. B. No. 1348, A bill to be entitled "An Act relating to the salaries of certain county and district officials in certain counties; and declaring an emergency."

H. C. R. No. 60, Creating the Texas Commission on Law Enforcement and the Administration of Justice.

H. C. R. No. 63, Granting permission to V. F. Neuhaus to sue the State of Texas.

H. C. R. No. 84, Granting permission to J. W. Mills and H. L. Mills to sue the State of Texas.

H. B. No. 56, A bill to be entitled "An Act amending Article 7509, Revised Civil Statutes of Texas, 1925, relating to publication and mailing of notice of hearing on an application for appropriation of water; and declaring an emergency."

H. B. No. 74, A bill to be entitled "An Act repealing Articles 1659 and 1660, Penal Code of Texas, 1925, as amended, to remove the requirement that railway companies and other inter-city common carriers provide separate coaches or compartments for white and Negro passengers; repealing Chapter 370, Acts of the 48th Legislature, Regular Session, 1943 (Article 1661.1, Vernon's Texas Penal Code), to remove the requirement that whites and Negroes be segregated on buses; and declaring an emergency."

H. B. No. 80, A bill to be entitled "An Act to amend Article 3930, Revised Civil Statutes of Texas, 1925, as amended by Acts 1957, 55th Legislature, Page 477, Chapter 228; relating to fees which county clerks and county recorders shall receive for their services; containing a repealing clause; repealing all laws and parts of laws in conflict, to the extent of conflict only, with the provisions of this Act; containing a saving clause; and declaring an emergency."

H. B. No. 204, A bill to be entitled "An Act to repeal the requirement in Section 7 of Article 2133 of the Revised Civil Statutes of Texas of 1925, that jurors must be freeholders or householders; and declaring an emergency."

H. B. No. 413, A bill to be entitled "An Act defining the term 'public

securities' as used herein; authorizing the issuance of public securities in any denomination as determined and fixed by the board, body, or officer empowered by law to authorize the issuance of such securities in the order, resolution, or ordinance authorizing issuance of such securities; declaring the law to be cumulative; providing that the provisions hereof shall apply to all public securities despite any provision in any earlier law to the contrary; and declaring an emergency."

H. B. No. 437, A bill to be entitled "An Act relating to the certificate renewal fee for registered public surveyors; amending Section 6(c), Chapter 328, Acts of the 54th Legislature, 1955 (Article 5282a, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 478, A bill to be entitled "An Act directing the State Department of Health to develop and carry out a program to provide psychological and audiological tests to deaf or hard-of-hearing persons in certain areas of the State; and declaring an emergency."

H. C. R. No. 158, Commending the Honorable Lyndon B. Johnson on the Middle East Policy.

H. B. No. 513, A bill to be entitled "An Act providing for the compensation of the Official Shorthand Reporters of the 23rd Judicial District of Texas and the 130th Judicial District of Texas; providing for the manner of payments; providing that if any section, paragraph, sentence, clause, phrase, or any part of this Act be invalid, such invalidity shall not affect the remainder thereof; repealing all laws and parts of laws in conflict to the extent of such conflict only; and declaring an emergency."

H. B. No. 524, A bill to be entitled "An Act amending the Motor Fuel Tax Law, enacted as Chapter 9, Title 122A, Taxation-General, Revised Civil Statutes of Texas, by amending Subsection (1) of Article 9.01 thereof defining motor fuel; etc., and declaring an emergency."

H. B. No. 599, A bill to be entitled "An Act relating to taxation of cigarettes; amending Article 7.10, Title 122A, Taxation-General, Revised Civil

Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 724, A bill to be entitled "An Act relating to the minimum and maximum salary of the official shorthand reporter of the 52nd Judicial District of Texas; and declaring an emergency."

H. B. No. 738, A bill to be entitled "An Act relating to the jurisdiction of city policemen and marshals to serve corporation court process; amending Article 45.04, Code of Criminal Procedure, 1965, and Articles 998 and 999, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 775, A bill to be entitled "An Act raising the maximum salary and expense allowance authorized to be paid to the juvenile officer of Harrison County; amending Section 3a, Chapter 106, Acts of the 54th Legislature, 1955, as added (Article 5139J, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 786, A bill to be entitled "An Act relating to the responsibility of certain adults for the conduct of a delinquent child; amending Chapter 204, Acts of the 48th Legislature, 1943, as amended (Article 2338-1, Vernon's Texas Civil Statutes) by adding a new Section 13-C, providing for restitution by the parents to parties whose persons or property were injured by the acts of a delinquent child; providing for enforcement by contempt; also providing for the requirement of responsibility of persons in whose custody a delinquent child is released to enforce the terms of probation, enforceable by contempt proceedings; and declaring an emergency."

H. B. No. 788, A bill to be entitled "An Act relating to the trial of juvenile traffic offenders; amending Chapter 302, Acts of the 55th Legislature, Regular Session, 1957 (Article 802e, Vernon's Texas Penal Code), by adding a new Section 1a to require the presence of the juvenile and one or both parents or guardians in open court before the judge; and declaring an emergency."

H. B. No. 803, A bill to be entitled "An Act relating to the requirements for annexing territory to certain drainage districts; amending Section

1(1), Chapter 345, Acts of the 55th Legislature, Regular Session, 1957 (Article 8176b-1, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 959, A bill to be entitled "An Act amending Sections 2 and 3 of Chapter 111, Acts of the 58th Legislature, 1963, as amended (Article 3221c, Vernon's Texas Civil Statutes), to change name of and to constitute the Texas Blind, and Deaf School as a combined part of Texas School for the Deaf as so enlarged and as part of the Texas School for the Deaf Independent School District; vesting jurisdiction thereof and its properties in the State Board of Education for all purposes; providing for severability; and declaring an emergency."

H. B. No. 1001, A bill to be entitled "An Act amending Sections 1 and 15, Chapter 125, Acts of the 52nd Legislature, 1951, as amended, relating to the regulatory authority of the Parks and Wildlife Commission in certain counties, to add Harris County to the list of counties regulated; and declaring an emergency."

H. B. No. 1033, A bill to be entitled "An Act relating to hiring and paying a stenographer or clerk for the 88th Judicial District; providing for an increase in the salary of the stenographer or clerk for the 88th Judicial District; and declaring an emergency."

H. B. No. 1068, A bill to be entitled "An Act requiring the State Board of Insurance to compile and provide upon request at a set charge a list of fire losses to cities and towns before setting fire and lightning insurance rates; providing procedures by which a city or town may correct its listing and requiring insurance carriers and cities and towns to provide the board with a list of fire and lightning losses; repealing laws in conflict; and declaring an emergency."

H. B. No. 1110, A bill to be entitled "An Act amending Section 24, Chapter 340, Acts of the 49th Legislature, Regular Session, 1945, as amended (Article 912a-24, Vernon's Texas Civil Statutes), relating to the location of cemeteries; and declaring an emergency."

H. B. No. 1143, A bill to be entitled

"An Act amending Chapter 290, Acts of the 52nd Legislature, Regular Session, 1951, as amended (Article 2327d, Vernon's Texas Civil Statutes), by adding a new Section 1A to authorize County Judges and Judges of Probate Courts in counties of 1,200 000 population to appoint an official shorthand reporter to serve for the duration of a pending case only, and specifying the qualifications and providing for the compensation of such reporters; and declaring an emergency."

H. B. No. 1226, A bill to be entitled "An Act relating to the franchise tax, and exempting certain non-profit corporations; amending Article 12.03, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, as last amended by Section 1, Chapter 637, Acts of the 59th Legislature, Regular Session, 1965; and declaring an emergency."

H. B. No. 1247, A bill to be entitled "An Act amending Article 1577 Revised Civil Statutes of Texas, 1925, as amended, relating to the sale of real property by counties; and declaring an emergency."

H. B. No. 1252, A bill to be entitled "An Act relating to the salary and expenses of the ex officio county superintendent of schools and the salary of assistant to the ex officio county superintendent of schools in certain counties; amending Subsection (a), Section 1, Chapter 212, Acts of the 58th Legislature, 1963 (Article 2688j), Vernon's Texas Civil Statutes; and declaring an emergency."

H. B. No. 1262, A bill to be entitled "An Act amending Section 10 of H. B. No. 19, Chapter 20, Acts of the 57th Legislature, 3rd Called Session, 1962 (codified as Article 8280-271 of Vernon's Texas Civil Statutes), so as to authorize the Memorial Villages Water Authority to enter into contracts with cities and others for any period of time not to exceed 50 years for supplying water and sewer services, or for the rental or leasing, or for the operation of water production, water supply, water filtration, purification, or sewerage system or facilities by the Authority or by such cities; and declaring an emergency."

H. B. No. 1263, A bill to be entitled "An Act relating to compensation of

the official shorthand reporter of the 32nd Judicial District; and declaring an emergency."

H. B. No. 1267, A bill to be entitled "An Act relating to fixing the minimum and maximum salary of the Official Shorthand Reporter for the 46th Judicial District of Texas; and declaring an emergency."

H. B. No. 1292, A bill to be entitled "An Act requiring any school board, county commissioners court, or governing board of a city, or tax equalization board to publish notice of certain public hearings and of regular or special elections; and declaring an emergency."

H. B. No. 1298, A bill to be entitled "An Act relating to the appointment and compensation of reporters for the 70th and 161st Judicial Districts and for the County Court at Law of Ector County, Texas; amending Section 1, Chapter 319, Acts of the 57th Legislature, Regular Session, 1961 (Article 2326j-10, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1319, A bill to be entitled "An Act authorizing the San Angelo Trade Zone, Inc., to establish, operate and maintain a foreign trade zone at San Angelo, Tom Green County, Texas, and other sub-zones; authorizing the San Angelo Trade Zone, Inc., to apply to the Foreign Trade Zone Board, Washington, D. C., for a grant to permit the establishment, operation and maintenance of the foreign trade zone and sub-zones in accordance with federal laws and the regulations of the Federal Trade Zones Board; authorizing the acceptance of such grant; and declaring an emergency."

H. B. No. 1323, A bill to be entitled "An Act amending Sections 11 and 12 of Chapter 648, Acts of the 59th Legislature, Regular Session, 1965, codified as Article 8280-338, Vernon's Texas Civil Statutes, so as to increase to six percent (6%) the permissive interest rate on bonds issued by Braeburn West Utility District; and granting to the District full powers to authorize, execute, issue and sell bonds to be supported by taxes, revenues or a combination of taxes and revenues; and declaring an emergency."

H. B. No. 1331, A bill to be entitled "An Act providing for the filing and recording in the office of the county clerk of certificates of redemption and other documents issued by the United States or by any department or bureau thereof evidencing the redemption of property from judicial sales and from nonjudicial sales under foreclosure; amending the Revised Civil Statutes of Texas, 1925, by adding Article 6644a; and declaring an emergency."

H. B. No. 1333, A bill to be entitled "An Act amending Section 7a of Senate Bill No. 23, Chapter 102, page 178, Acts of the 58th Legislature, 1963 (codified as Section 7a of Article 678e, Vernon's Texas Civil Statutes), so as to empower the watchman authorized by said Act to carry firearms under certain conditions and in certain situations; and declaring an emergency."

H. B. No. 1346, A bill to be entitled "An Act relating to the establishment of a more efficient road system for Harrison County; providing penalties for violations of the Act; repealing certain laws; providing for severability; and declaring an emergency."

H. B. No. 1347, A bill to be entitled "An Act relating to the appointment, compensation, and expense allowance for an assistant district attorney for the 9th Judicial District who shall also represent the state in any judicial district in the counties composing the 9th Judicial District; and declaring an emergency."

H. B. No. 1352, A bill to be entitled "An Act amending Section 4 of H. B. No. 915, Chapter 404, page 959, Acts of the 53rd Legislature, Regular Session, 1953, relating to bonds of Willacy County Navigation District; repealing laws in conflict; providing for severability; and declaring an emergency."

H. B. No. 1366, A bill to be entitled "An Act repealing H. B. 362, 60th Leg., relating to certification in lieu of verification by affidavit to the correctness of claims against the state; etc.; and declaring an emergency."

H. B. No. 1353, A bill to be entitled "An Act closing the season on deer in a certain portion of Harrison County for a specified time; prescribing

ing a penalty; and declaring an emergency."

H. B. No. 1355, A bill to be entitled "An Act authorizing the Parks and Wildlife Department to convey certain land in Harrison County to the heirs and assigns of the grantors in the deed by which the land was conveyed to the state; and declaring an emergency."

H. J. R. No. 12, Proposing an amendment to the Constitution of Texas, adding a section to be known as Section 49-e of Article III, providing for the issuance and sale of bonds of the State of Texas to create the Texas Park Development Fund to provide for the acquisition of lands for State Park Sites and for developing said sites as State Parks; providing for the payment of such bonds; designating an agency to administer said Fund and to perform other duties prescribed by law; and providing for the calling of an election and the publication and issuance of the proclamation therefor.

H. C. R. No. 69, Granting permission to Jack B. Blalock and his wife, Sophia W. Blalock, to sue the State of Texas.

H. C. R. No. 161, Directing the Enrolling Clerk to make corrections in H. B. 1137.

H. C. R. No. 163, Directing the Enrolling Clerk to make corrections in H. B. 78.

H. C. R. No. 166, Directing the Enrolling Clerk to make corrections in H. J. R. 12.

H. B. No. 220, A bill to be entitled "An Act creating a State Board for the preservation of Scientific Areas; etc.; and declaring an emergency."

H. B. No. 510, A bill to be entitled "An Act relating to fees to be collected by clerks of district courts in counties containing a population of more than 900,000 inhabitants according to the last preceding federal census; amending Section 1, Chapter 592, Acts of the 59th Legislature, Regular Session, 1965 (Article 3927b, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 535, A bill to be entitled "An Act creating and establishing a

conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Parkglenn Municipal Utility District', etc., and declaring an emergency."

H. B. No. 550, A bill to be entitled "An Act creating and establishing a Conservation and Reclamation District under Article 16, Section 59 of the Constitution of Texas, to be known as 'Blue Ridge Municipal Utility District', etc., and declaring an emergency."

H. B. No. 552, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Enchanted Oaks Municipal Utility District,' declaring District a governmental agency, body politic and corporate; etc., and declaring an emergency."

H. B. No. 720, A bill to be entitled "An Act authorizing the Parks and Wildlife Department to exchange certain described tracts of land in Kerr County for certain described lands in Kerr County owned by Dr. Eugene T. Standley; and declaring an emergency."

H. B. No. 809, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Comanche Hills Utility District,' in Bell County; declaring district a governmental agency, body politic and corporate; defining the boundaries, etc., and declaring an emergency."

H. B. No. 821, A bill to be entitled "An Act relating to the lien on property for taxes due to the State; providing for priority of the lien; providing for filing notice of the lien; providing for assignment of the lien and judgments and the subrogation of the State's rights; providing for liability in case of preferential transfers and creating a lien and cause of action against the transferee; providing for liability in case of failure to withhold or collect taxes; etc., and declaring an emergency."

H. B. No. 912, A bill to be entitled "An Act amending Section 1, Chapter 125, Acts of the 52nd Legislature, 1951, as amended, relating to the regulatory authority of the Parks and Wildlife Commission in certain counties, to add Callahan County to the



list of counties regulated; and declaring an emergency."

H. B. No. 932, A bill to be entitled "An Act permitting the termination of perpetual trust funds for cemeteries of municipalities in counties with a population of more than 100,000 and less than 136,000; and declaring an emergency."

H. B. No. 943, A bill to be entitled "An Act amending Sections 1, 2, 3 and 28 of Chapter 179, Acts of the 56th Legislature, 1959, as amended by Chapter 676, Acts of the 59th Legislature, Regular Session, 1965 (Article 1722a, Vernon's Texas Penal Code), pertaining to water safety; and declaring an emergency."

H. B. No. 972, A bill to be entitled "An Act relating to the North Texas Municipal Water District; adding Section 1a and amending Sections 3(b) and 7 of Chapter 62, Acts of the 52nd Legislature, 1951 (Article 8280-141, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1067, A bill to be entitled "An Act relating to creation of the office of criminal district attorney for the 42nd and 104th Judicial Districts; abolishing the offices of district attorney for the 42nd and 104th Judicial Districts, and the office of County Attorney of Taylor County; amending Section 2, Chapter 184, Acts of the 57th Legislature, Regular Session, 1961 (Article 190-104—Jones and Taylor, Vernon's Texas Civil Statutes); and Article 322, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 1111, A bill to be entitled "An Act relating to the defacing or damaging of caves or caverns; providing a penalty; and declaring an emergency."

H. B. No. 1086, A bill to be entitled "An Act regulating public use of privately owned parking and driving facilities; amending Chapter 3, Title 17, Penal Code of Texas, 1925, as heretofore amended, by adding thereto a new statute to be designated Article 1350a; prescribing those acts which, if committed on certain privately owned parking or driving areas, shall constitute offenses; providing penalties; declaring such offenses to be breaches of the peace; authorizing arrest without warrant; providing for

severability; and declaring an emergency."

H. B. No. 1150, A bill to be entitled "An Act to amend Section 7 of Chapter 360, Acts of the Forty-fifth Legislature, Regular Session, 1937 (codified as Article 8280-120 of Vernon's Texas Civil Statutes), relating to the issuance of bonds by the Harris County Flood Control District; making such bonds eligible for certain investments and to secure the deposit of public funds; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 1183, A bill to be entitled "An Act relating to procedures to be used by blind and deaf individuals in obtaining exemptions from the payment of tuition at state-supported institutions of collegiate rank; amending Chapter 386, Acts of the 59th Texas Legislature, Regular Session, 1965 (Article 2654f-2, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1219, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas known as 'College View Municipal Utility District'; declaring district a governmental agency, body politic and corporate; etc., and declaring an emergency."

H. B. No. 1231, A bill to be entitled "An Act to amend Chapter 477, Acts of the 59th Legislature, Regular Session, 1965, by adding new sections to permit the Directors to adopt a new fiscal year and providing a date for the hearing on the budget in conformity with such new fiscal year; and declaring an emergency."

H. B. No. 1236, A bill to be entitled "An Act relating to the creation of the Willow Creek Water Control District as a conservation and reclamation district in portions of Runnels and Tom Green Counties under the provisions of Section 59, Article XVI, of the Constitution of the State of Texas; prescribing the powers, duties, functions, and procedures of the district; and declaring an emergency."

H. B. No. 1243, A bill to be entitled "An Act adding land to Fort Bend County Water Control and Improvement District No. 4; describing the boundaries of such added land; etc.; and declaring an emergency."



H. B. No. 1250, A bill to be entitled "An Act relating to the creation of the Elm Creek Water Control District as a conservation and reclamation district in portions of Runnels and Taylor Counties under the provisions of Section 59, Article XVI of the Constitution of the State of Texas; prescribing the powers, duties, functions, and procedures of the district; and declaring an emergency."

H. B. No. 1276, A bill to be entitled "An Act relating to the sale of surplus and salvage state property; giving the organization known as the Texas Partners of the Alliance the opportunity to purchase surplus and salvage equipment or material before such equipment or material is offered for sale to the public; amending Article 666, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 1282, A bill to be entitled "An Act amending Sections 3, 4, 7, 10b, 10d and 13 of Chapter 426, Acts of the 45th Legislature, Reg. Sess., 1937, as amended (compiled as Article 8280-121, Vernon's Texas Civil Statutes, as amended), so as to clarify existing powers of the San Jacinto River Authority; etc., and declaring an emergency."

H. B. No. 1284, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as "Point Lookout Estates Municipal Utility District"; declaring district a governmental agency, body politic and corporate; etc., and declaring an emergency."

H. B. No. 1303, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as Windfern Municipal Utility District; declaring district a governmental agency, body politic and corporate; defining the boundaries; etc.; and declaring an emergency."

H. B. No. 1305, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas to select and convey to the County of El Paso, Texas, a tract of land not exceeding ten (10) acres upon the campus of The University of Texas at El Paso, El Paso, Texas, as a

field house site upon which site will be erected and constructed a field house, parking areas, access roads, and related facilities by the County of El Paso, Texas, at its expense; etc., and declaring an emergency."

H. B. No. 1340, A bill to be entitled "An Act authorizing the creation of a hospital district comprising all of Polk County, Texas, and the assumption of all outstanding indebtedness of Polk County, etc., and declaring an emergency."

H. B. No. 1349, A bill to be entitled "An Act relating to the salary of a stenographer or clerk for any district attorney in judicial districts composed of two or more counties; amending Section 1, Chapter 365, Acts of the 52nd Legislature, Regular Session, 1951, as amended (Article 326k-19, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1350, A bill to be entitled "An Act relating to the authority of certain cities to establish, acquire lease, purchase, construct, improve, enlarge, equip, repair, operate, maintain, and finance certain civic, cultural, recreational, and other buildings and facilities; amending Sections 1, 2, 3, 4 and 8, Chapter 63, Acts of the 59th Legislature, Regular Session, 1965 (Article 1269j-4.1, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1351, A bill to be entitled "An Act relating to the creation, establishment, maintenance, and operation of the Rising Star Hospital District located in that part of Eastland County, Texas, within the boundaries of the Rising Star Independent School District, by authority of the State of Texas; and declaring an emergency."

H. B. No. 372, A bill to be entitled "An Act amending Article 7150, Revised Civil Statutes of Texas, 1925, by adding a new section to be known as Section 22; exempting certain property from taxation; and declaring an emergency."

H. B. No. 1290, A bill to be entitled "An Act relating to counties eligible to use jury wheels in selecting jurors; adding Subsection (k) to Article 2094, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

## Senate Concurrent Resolution 95

Senator Herring offered the following resolution:

S. C. R. No. 95, Commending the Texas Legislative Service.

Whereas, For 42 years, the Texas Legislative Service has been the unofficial right arm of the Texas Legislature; and

Whereas, Established in 1925 by Walter E. Long, the Service is invaluable to Members: it has presented each Member several copies of the roster of the Texas Legislature, including photographs of Members, districts and counties represented, desk numbers and the seating arrangements; it provides each member with a daily report, giving a condensation of activities of each House for the previous day and a summary of each bill introduced, committee reports and bills passed, so that Members have current information available at all times; and

Whereas, Russell Fish, who now operates the Service, and his excellent staff—Senate Correspondents, James C. Fish and Hal George; House Correspondents, John A. McCurdy and Mike Muncy; and long time staff members, Mrs. Herman Porsch, Mrs. Irma Graham, and Mrs. Clara Jean Sherrill—have continued the assistance and courtesies to the Legislature in the tradition established by Mr. Long, who is now retired; and

Whereas, The daily reports and the roster, as well as specific requests by Members, are provided at no cost to them and are of inestimable value to all Members and the State of Texas; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that this Resolution express to all the staff of the Texas Legislative Service the sincere gratitude of the Texas Legislature for the outstanding assistance and cooperation of this agency during the Regular Session of the 60th Legislature and all Legislatures for the past 42 years.

The resolution was read.

On motion of Senator Herring, and by unanimous consent, the resolution was considered immediately and was adopted.

## Message From the House

Hall of the House of Representatives,  
Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 95, Commending the Texas Legislative Service.

The House has appointed the following Conference Committee on S. B. No. 354: Clayton, Hinson, Wayne, Birkner, T. Shannon.

The House has concurred in Senate amendments to House Bill No. 434 by vote of 147 ayes, 0 noes.

The House has concurred in Senate amendments to House Bill No. 410 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 320 by vote of 143 ayes, 0 noes.

The House has concurred in Senate amendments to House Bill No. 561 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 156 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 387 by vote of 143 ayes, 2 noes.

The House has concurred in Senate amendments to House Bill No. 149 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 83 by non-record vote.

The House has concurred in Senate amendments to H. C. R. No. 69 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 1148 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 1306 by vote of 141 ayes, 0 noes.

The House has concurred in Senate amendments to House Bill No. 1277 by a vote of 142 ayes, 0 noes.

The House has concurred in Senate amendments to House Bill No. 866 by vote of 142 ayes, 0 noes.

The House has concurred in Senate amendments to House Bill No. 214 by vote of 81 ayes, 57 noes, and 1 present and not voting.

The House has concurred in Senate amendments to House Bill No. 1142 by a vote of 140 ayes, 0 noes.

The House has concurred in Senate amendments to H. C. R. No. 127 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 1189 by a vote of 140 ayes, 5 noes.

The House has concurred in Senate amendments to House Bill No. 557 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 757 by a vote of 127 ayes, 10 noes.

The House has concurred in Senate amendments to House Bill No. 911 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 999 by vote of 105 ayes, 29 noes.

The House has concurred in Senate amendments to H. J. R. No. 60 by vote of 141 ayes, 1 noes.

The House has concurred in Senate amendments to House Bill No. 765 by non-record vote.

The House has concurred in Senate amendments to H. C. R. No. 24 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 1012 by vote of 142 ayes, 1 noes.

The House has adopted the Conference Committee Report on Senate Bill No. 295 by a vote of 141 ayes, 0 noes.

The House has adopted the Conference Committee Report on House Bill 357 by a vote of 95 ayes, 45 noes, and 1 present and not voting.

The House has adopted the Conference Committee Report on House Bill No. 1164 by non-record vote.

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

### House Resolution on First Reading

The following resolution received from the House was read the first time and referred to the Committee indicated:

H. C. R. No. 145, to the Committee on Counties, Cities and Towns.

### Reports of Standing Committee

Senator Hall by unanimous consent submitted the following reports:

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. C. R. No. 159, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns to which was referred H. C. R. No. 145, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

### House Bill 266 on Second Reading

Senator Word moved that Senate Rules 13, 32 and 37 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 266 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Blanchard
Bates	Brooks
Bernal	Christie
Berry	Cole

Connally	Moore
Creighton	Parkhouse
Grover	Patman
Hall	Ratliff
Hardeman	Reagan
Harrington	Schwartz
Hazlewood	Strong
Herring	Wade
Hightower	Watson
Jordan	Wilson
Kennard	Word
Mauzy	

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 266, A bill to be entitled "An Act providing for the administration of family law by replacing all functioning domestic relations courts and the juvenile courts of Dallas and Harris Counties with district courts of general jurisdiction, to be called family district courts; providing for these courts' jurisdiction, terms, personnel, facilities, and administration; restructuring existing juvenile boards in certain counties and providing for the future creation and organization of juvenile boards in other counties; repealing the laws creating and providing for the replaced courts; repealing the laws providing for creation of domestic relations courts in Lubbock and Starr counties; and declaring an emergency."

The bill was read second time.

Senator Strong offered the following amendment to the bill:

Amend H. B. No. 266 by deleting Sec. 10 by deleting therefrom the language: "of all suits for trial or title to land and for enforcement of liens thereon, of all suits for trials of right of property," and adding a semicolon in lieu thereof.

The amendment was read and was adopted.

On motion of Senator Word, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### House Bill 266 on Third Reading

The Constitutional Rule requiring

bills to be read on three several days having been suspended, the President laid H. B. No. 266 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

#### Senate Bill 17 With House Amendments

Senator Hazlewood called S. B. No. 17 from the President's Table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

#### Committee Amendment 1

Amend S. B. No. 17 by striking all below the enacting clause and substituting the following:

Section 1. Subsection (a) of Section 2, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended by Section 1, Chapter 466, Acts of the 59th Legislature, Regular Session, 1965 (Article 726d, Vernon's Texas Penal Code), is amended to read as follows:

"(a) The term 'dangerous drug' means any drug unsafe for self-medication, except preparations of drugs defined in Subdivisions (a) (6), (a) (7), (a) (9), and (a) (10) hereof, designed for the purpose of feeding or treating animals (other than man) or poultry, and so labeled, and includes the following:

"(1) Any barbituate or other hypnotic drug. 'Barbituate' includes malonylurea derivatives and barbituric acid derivatives. 'Other hypnotic drug' includes chloral, paraldehyde, sulfonmethane derivatives, or any other compounds or mixtures or preparations that may be used for producing hypnotic effects.

"(2) Amphetamine, desoxyephedrine, or compounds or mixtures thereof, except preparations for use in the nose and unfit for internal use.

"(3) Hallucinogenes, including lysergic acid diethylamide, LSD-25, LSD, dimethyltryptamine, psilocybin, bufotenine, peyote, mescaline, and their salts and derivatives, or any compounds, mixtures or preparations which are chemically identical with such substances.

"(4) Aminopyrine, or compounds or mixtures thereof.

"(5) Cantharidin or a compound related structurally to cantharidin; or cinchophen, neocinchophen, or compounds or mixtures thereof.

"(6) Diethyl-stilbestrol, or compounds or mixtures thereof.

"(7) Ergot, cotton root, or their contained or derived active compounds or mixtures thereof.

"(8) Oils of croton, rue, savin or tansy or their contained or derived compounds or mixtures thereof.

"(9) Sulfanilamide or substituted sulfanilamides, or compounds or mixtures thereof, except preparations for topical application only containing not more than five percent (5%) strength.

"(10) Thyroid and its contained or derived active compounds or mixtures thereof.

"(11) Phenylhydantoin derivatives.

"(12) Thallium or any compound thereof.

"(13) Any drug which bears the legend: 'Caution: federal law prohibits dispensing without prescription.'

"(14) Barbituates or hypnotic drugs when combined and compounded with non-barbituates or non-hypnotic drugs.

"Provided, however, that preparations which contain certain other drugs, not covered by the provisions of this Act, other than those dangerous drugs specified in Section 2(a) (2) through (13) inclusive, in sufficient proportions to confer upon the preparation qualities other than those possessed by the dangerous drugs alone are exempt from the provisions of this Act."

Sec. 2. Subsection (d) of Section 3, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959 (Article 726d, Vernon's Texas Penal Code), is amended to read as follows:

"(d) The possession of a barbituate or hypnotic drug, as well as those drugs set forth in Section 2(a) (2) and (3) hereof, by any person unless such person obtained the drug under the specific provisions of Section (3)(a) (1) and (2) of this Act and possesses the drug in the container in which it was delivered to him by the pharmacist or practitioner selling or dispensing the same; and any other possession of a barbituate or hypnotic drug, as well as those drugs

set forth in Section 2(a) (2) and (3) hereof, shall be prima facie evidence of illegal possession."

Sec. 3. Section 13, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959 (Article 726d, Vernon's Texas Penal Code), is amended to read as follows:

"Section 13. Any person who violates any provision of this Act by use of a minor as an agent, or who unlawfully furnishes to a minor any dangerous drug as that term is defined herein, shall be guilty of a felony and upon conviction is punishable by confinement in the penitentiary for not less than two nor more than five years."

Sec. 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended.

#### Committee Amendment 2

Amend S. B. No. 17 by striking all above the enacting clause and substituting the following:

#### A BILL

#### To Be Entitled

An Act to include lysergic acid diethylamide and other hallucinogens in the list defining "dangerous drugs," and specifying its possession to be an unlawful act; providing that the illegal furnishing of any dangerous drug to a minor is unlawful; amending Subsection (a) of Section 2, Subsection (d) of Section 3 and Subsection 13, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended (Article 726d, Vernon's Texas Penal Code); and declaring an emergency.

Unanimous consent was granted to amend the caption of Senate Bill No. 17 to conform to the body of the bill.

The House amendments were read.

Senator Hazlewood moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following Conferees on the part of the Senate on the bill: Senators Kennard, Hazlewood, Schwartz, Wilson, and Creighton.

(Senator Aikin in the Chair.)

**House Concurrent Resolution 159  
Ordered Not Printed**

On motion of Senator Harrington and by unanimous consent H. C. R. No. 159 was ordered not printed.

**House Concurrent Resolution 145  
Ordered Not Printed**

Senator Hall asked unanimous consent that H. C. R. No. 145 be ordered not printed.

There was objection.

The motion prevailed.

**Record of Vote**

Senator Blanchard asked to be recorded as voting "Nay" on the motion not to print H. C. R. No. 145.

**Senate Resolution 758**

Senator Herring offered the following resolution:

Whereas, At the close of this Regular Session of the 60th Legislature, a look in retrospect reflects a 140 day period full of hard work, long hours, demanding and difficult situations which have at times taxed the patience and endurance of the members of the Senate; and

Whereas, Throughout the Session the dignity and decorum of the Senate has been maintained by the President, which has resulted in a successful period where a great volume of constructive legislation was enacted with smoothness and efficiency; now, therefore, be it

Resolved, By the Senate of Texas, that it does hereby express its appreciation to the Honorable Preston Smith, Lieutenant Governor of Texas and President of the Senate, for the courage and wisdom which have characterized his leadership throughout his three terms as Lieutenant Governor and in particular in this Regular Session of the 60th Legislature.

HERRING.

Signed—Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Hardeman, Harrington, Hazlewood, Hightower, Jordan, Kennard, Mauzy, Moore, Parkhouse, Patman, Ratliff, Reagan, Schwartz, Strong, Wade, Watson, Wilson, Word.

The resolution was read.

On motion of Senators Parkhouse and Hardeman and by unanimous consent the names of all the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

**House Bill on First Reading**

The following bill received from the House was read the first time and referred to the Committee indicated:

H. B. No. 134, to the Committee on Counties, Cities and Towns.

**Senate Bill 429 With  
House Amendments**

Senator Connally called S. B. No. 429 from the President's Table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

**Amendment 1**

Amend the last section of S. B. No. 429 by striking the words "its passage" and substituting the words "September 1, 1967".

**Amendment 2**

Amend S. B. No. 429 by inserting a new section appropriately numbered and renumber the subsequent sections; such new section to read as follows:

Sec. —. "There is hereby appropriated out of the General Revenue Fund the sum of \$27,000, or so much thereof as is necessary, for the salaries of the district judge and district attorney of the 170th Judicial District for the period ending August 31, 1968 and such salaries are to be paid at the same rate and in the manner as provided for other district judges and district attorneys."

**Amendment 3**

Amend the Wright amendment to S. B. No. 429 by striking the words and letters "5th" in Section 8 of Article I.

**Amendment 4**

Amend the last section of S. B. No. 429 by striking the words "its passage" and substituting the words "September 1, 1967".

**Amendment 5**

Amend Amendment No. 2 to S. B. No. 429 by adding a new Section 1 to Article 10 to read as follows and re-numbering the present Sections 1 and 2 accordingly:

"Section 1. There is hereby appropriated from the General Revenue Fund for the fiscal year ending August 31, 1968 the following:

(a) Salary of district judge of the 170th Judicial District, \$18,000.

(b) Salary of district judge of the 190th Judicial District, \$18,000.

(c) Salary of district judge of the 191st Judicial District, \$18,000.

(d) Salary of district judge of the 192nd Judicial District, \$18,000.

(e) Salary of district judge of the 141st Judicial District, \$18,000.

(f) Salary of the judge of Criminal District Court No. 7 of Harris County, \$18,000.

(g) Salary of the judge of Criminal District Court No. 8 of Harris County, \$18,000.

(h) Salary of district judge of the 168th Judicial District, \$18,000.

(i) Salary of district judge of the 169th Judicial District, \$18,000.

(j) Salary of District Attorney of 170th Judicial District, \$9,000.

**Amendment 6**

Amend S. B. No. 429 by striking all below the enacting clause and substituting the following:

Article 1. 170th, 49th, and 79th Judicial Districts

Section 1. Creation and Jurisdiction. (a) The 170th Judicial District is created. Its boundaries are co-extensive with the boundaries of Duval, Jim Hogg, Zapata, and Starr Counties.

(b) The 170th District Court has the jurisdiction provided for district courts by the Constitution and laws

of this state. The jurisdiction of the 170th District Court in Jim Hogg County and Zapata County is concurrent with that of the 49th District Court.

Sec. 2. Terms of Court. The terms of the 170th District Court begin on the first Monday in January and the first Monday in July of each year. Each term of the court continues until the next succeeding term convenes.

Sec. 3. Judge. (a) As soon as practicable after the effective date of this Act, the Governor shall appoint as Judge of the 170th District Court a person qualified to serve as a district judge under the Constitution and laws of this state. The judge appointed holds office until the next general election and until his successor is duly elected and qualified.

(b) The judge of the 170th District Court is entitled to the same compensation and allowances provided by the state for other district judges, and to a supplement of \$5,900 a year divided equally among the counties of the district.

Sec. 4. Court Officials. (a) The Judge of the 170th District Court may appoint an official court reporter. The reporter must meet the qualifications prescribed by law for that office and is entitled to the same compensation, fees, and allowances provided by law for the official court reporter of the 49th Judicial District.

(b) The District Attorney of the 49th Judicial District shall serve as the District Attorney in Jim Hogg County and Zapata County. The sheriff and clerk of each county comprising the 170th Judicial District shall serve as sheriff and clerk, respectively, of the 170th District Court. They shall perform the duties, and are entitled to the compensation and allowances, prescribed by law for their respective offices.

(c) The Judge of the 170th District Court and the Judge of the 49th District Court may appoint an officer for each of the counties in their respective districts to act as bailiff or bailiffs for said court. Each such bailiff or bailiffs appointed shall be paid a salary out of the general fund of the county of such court as set by the District Court making such appointment, with the approval of the Commissioners Court of the county of such court. The bailiff or bailiffs shall perform any and all duties im-

posed upon bailiffs in this state under the General Laws. In addition thereto, the bailiff shall perform such duties as are required by the District Judge appointing such officer. The bailiff thus appointed is subject to removal without cause at the will of the appointing judge. Bailiffs thus appointed shall be duly deputed by the sheriff of such county, in addition to other deputies now authorized by law, upon the request of the District Judge or District Judges.

Sec. 5. Transfer of Causes. (a) In any county of the 170th Judicial District where the jurisdiction of the 170th District Court is concurrent with that of another district court, the judges of the two district courts having concurrent jurisdiction may freely transfer causes, civil and criminal, to and from the dockets of their respective courts. The judges may also freely exchange benches and courtrooms with each other so that if a judge is ill, disqualified, or otherwise absent, another judge may hold court for him without the necessity of transferring the cause involved.

(b) In any county of the 170th Judicial District where the jurisdiction of the 170th District Court is concurrent with that of another district court, a judge of one of the district courts having such concurrent jurisdiction may hear all or any part of a cause pending in another district court of that county; and he may rule and enter orders on, continue, determine, or render judgment on all or any part of the cause without the necessity of transferring it to his own docket.

Sec. 6. Subdivision 49, Article 199, Revised Civil Statutes of Texas, 1925, as last amended by Section 1, Chapter 34, Acts of the 48th Legislature, Regular Session, 1943, is amended to read as follows:

"49. Dimmit, Zapata, Jim Hogg and Webb

"The 49th Judicial District shall be composed of the Counties of Dimmit, Zapata, Jim Hogg, and Webb, and the terms of the District Court are hereby designated therein each year as follows:

"In the County of Dimmit on the first Mondays in February and September and on the second Monday in May.

"In the County of Zapata on the fourth Mondays in February, May, and September.

"In the County of Jim Hogg on the first Mondays in March, June, and October.

"In the County of Webb on the third Mondays in March, June, and October.

"Each term of court in each of such counties may continue until the date herein fixed for the beginning of the next succeeding term therein.

"The jurisdiction of the 49th District Court in Jim Hogg and Zapata Counties is concurrent with that of the 170th District Court.

"The Judge of the 49th District Court or the Judge of the 170th District Court may hear and dispose of any suit or proceeding on the docket of either court in Jim Hogg and Zapata Counties. This may be done in any case without the necessity of transferring the suit or proceeding from one court to the other; however, the judges may transfer cases from one court to the other by an order entered on the docket of the court from which the case is transferred. Provided, however, that no case may be transferred without the consent of the judge of the court to which transferred. Every judgment and order shall be entered in the minutes of the District Court of the county in which the proceedings are pending, and the clerk of the District Court in said county shall keep the minutes of the court in which shall be recorded all the judgments and orders of the respective courts.

"In Jim Hogg County jurors shall be selected as prescribed by law for service in both the 49th and 170th District Courts, and may be summoned and used for the trial of cases interchangeably in either of the district courts."

Sec. 7. Subdivision 79, Article 199, Revised Civil Statutes of Texas, 1925, as last amended by Section 1, Chapter 27, Acts of the 51st Legislature, 1st Called Session, 1950, is amended to read as follows:

"79. Brooks and Jim Wells

"The 79th Judicial District shall be composed of the Counties of Brooks, and Jim Wells.

"The terms of this District Court begin on the first Monday in January and the first Monday in July of each year. Each term of the court continues until the next succeeding term convenes.

"The judge of said court in his discretion may hold as many sessions



of court in any term of the court in any county as is deemed by him proper and expedient for the dispatch of business.

"All process issued and returnable to a succeeding term of court, and all bonds and recognizances made and all grand and petit juries drawn before this Act takes effect shall be valid for and returnable to the next succeeding terms of the District Court of the several counties as herein fixed as though issued and served for such terms and returnable to and drawn for the same. All process issued and made returnable on or before Monday next after the expiration of twenty (20) days from the date of service thereof shall be valid, and unaffected by this Act.

"It is further provided that if any court in any county of said district shall be in session at the time this Act takes effect, such court or courts affected thereby shall continue in session until the time for the beginning of the next succeeding term therein, as provided for herein, and any court in any county of said district which is not in session at the time this Act takes effect may be opened for a new term at any time at the discretion of the judge thereof and shall continue in session until the time for the beginning of the next succeeding term therein, as provided for herein; but thereafter all courts in said district shall conform to the requirements of this Act."

Sec. 8. Article 322, Revised Civil Statutes of Texas, 1925, as last amended by Section 1, Chapter 306, Acts of the 48th Legislature, 1943 is amended to read as follows:

"The following Judicial Districts in this state shall each respectively elect a District Attorney, viz.: 1st, 2nd, 3rd, 5th, 7th, 8th, 9th, 12th, 21st, 22nd, 23rd, 24th, 25th, 27th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 38th, 39th, 42nd, 46th, 47th, 49th, 50th, 51st, 52nd, 53rd, 63rd, 64th, 69th, 70th, 72nd, 75th, 76th, 79th, 81st, 83rd, 90th, 100th, 106th and 170th. There shall also be elected a Criminal District Attorney for Harris County, a Criminal Attorney for Dallas County, a Criminal District Attorney for Tarrant County, and one Criminal District Attorney for the Counties of Nueces, Kleberg, Kenedy, Willacy and Cameron."

Article 2. 190th, 191st, and 192nd Judicial Districts

Section 1. There is created hereby in and for Dallas County, Texas, three (3) additional district courts, the limits of which districts shall be co-extensive with the limits of Dallas County; said courts shall be known as the 190th District Court, Judicial District of Texas and 191st District Court, Judicial District of Texas and 192nd District Court, Judicial District of Texas.

Section 2. The 190th District Court and the 191st District Court and the 192nd District Court shall have and exercise the powers conferred by the Constitution and Laws of the State of Texas on the judges of the District Courts of Dallas County, Texas. The jurisdiction shall be concurrent with that of the existing district courts of Dallas County, Texas.

Section 3. The terms of the 190th District Court and the 191st District Court and 192nd District Court shall begin on the first Monday in January and July of each year respectively, and each term of said court shall continue until the convening of the next succeeding term.

Section 4. The Governor shall appoint a Judge for each court herein created who shall hold office until the next general election and until his successor has been duly elected and qualified. Such persons so appointed and elected shall have the qualifications provided by the Constitution and the Laws of this State for District Judges. The Judges of the courts created by this Act shall draw the same compensation that is provided by the Laws of the State of Texas for District Judges of Dallas County.

Section 5. The Judge of the 190th District Court, the Judge of the 191st District Court and the Judge of the 192nd District Court are each authorized to appoint an official court reporter for his court and said court reporter shall have the qualifications now required by law for official shorthand reporters. Such reporter shall perform the duties as required by law and such duties as may be assigned to the court reporter by the judge of the court to which the reporter is appointed and shall receive as compensation for his services the compensation now allowed or hereinafter allowed for the official shorthand reporters for the district courts of Dallas County under the Laws of this State.

Section 6. The designations A14, B44, C68, D95, E101, F116, G134, H160, I162, J190, K191 and L192 shall be placed on the docket and the court papers of the respective district courts of Dallas County to distinguish them, the designation A14 being used in connection with the 14th District Court, B44 being used in connection with the 44th District Court, C68 being used in connection with the 68th District Court, D95 being used in connection with the 95th District Court, E101 being used in connection with the 101st District Court, F116 being used in connection with the 116th District Court, G134 being used in connection with the 134th District Court, H160 being used in connection with the 160th District Court, I162 being used in connection with the 162nd District Court, J190 being used in connection with the 190th District Court, K191 being used in connection with the 191st District Court L192 being used in connection with the 192nd District Court. As soon as possible after this Act takes effect the District Clerk of Dallas County, shall, under the direction of the Presiding Judge of the District Judges of Dallas County, cause dockets of civil cases to be created for these new courts from the dockets of the existing civil courts in such manner as the judges of said courts shall determine to be fair and reasonable by transferring a proportionate number of pending civil cases to these newly created courts; and thereafter civil cases shall be docketed by the District Clerk at random as such cases are filed, or in any manner as directed by the Presiding Judge of the District Judges of Dallas County. Unless otherwise directed by the Presiding Judge of the District Judges of Dallas County, the District Clerk of Dallas County shall file all adoptions, birth records, divorce and marriage annulment and child welfare, custody, support and reciprocal support, dependency, neglect and delinquency cases in the domestic relations and juvenile courts of Dallas County or in their successor family district courts.

Section 7. The Judge of any of the District Courts in Dallas County may in his discretion try and dispose of any causes, matters or proceedings for any other Judge of said courts. Either of the Judges of said District

Courts of Dallas County may at his discretion at termtime or in vacation transfer a case or cases to said other District Court with the consent of the Judge of said other District Court by order entered in the minutes of his court. When such transfer is ordered, the District Clerk of Dallas County shall certify all orders made in said case and such certified copies of such orders together with the original papers shall be filed among the papers of the case thus transferred and the fees thereof shall be taxed as part of the cost of said suit and the Clerk of said Court shall docket any such case in the Court to which it shall have been transferred, and when so entered, the Court to which the same shall have been thus transferred shall have like jurisdiction therein as in cases originally filed in said court. All process and writs issued out of the District Court from which any such transfer is made shall be returnable to the Court to which said transfer is made, according to the terms of the District Court or the respective Court as fixed by this Act.

Section 8. The District Clerk of Dallas County shall also act as District Clerk for the 190th, 191st and 192nd District Courts of Dallas County.

Section 9. The Sheriff of Dallas County shall attend either in person or by Deputy of the 190th District Court, 191st District Court, 192nd District Court, as required by law in Dallas County or when required by the Judge thereof, and the Sheriffs and Constables of the several counties of this State when executing process out of said courts shall receive fees provided by General Law for executing process out of District Courts.

Section 10. All process, writs, bonds, recognizances or other obligations issued out of the District Courts of Dallas County are hereby made returnable to the terms of the District Courts of Dallas County as said terms are fixed by law and by this Act, and all bonds executed and recognizances entered by and in said Courts shall bind the parties for their appearance or to fulfill the obligations of such bonds or recognizances at the terms of such Courts as fixed by law and by this Act; and all process heretofore returned, as well as all bonds and recognizances heretofore taken in the District Courts of Dallas

County shall be valid.

Section 11. Except as otherwise provided in this Article, all laws now in effect with respect to District Courts of Dallas County shall apply to the courts created under this Article.

### Article 3. 141st Judicial District

Section 1. The 141st Judicial District is created. Its court is the 141st District Court of Bexar County.

Sec. 2. (a) As soon as practicable after this Act takes effect, the governor shall appoint as judge of the 141st District Court a person qualified to serve as a district judge under the Constitution and laws of this state. The judge appointed holds office until the next general election and until his successor is duly elected and qualifies.

(b) The judge appointed and his successors are entitled to the same compensation and allowances, paid by the state and county, as the other district judges in Bexar County.

Sec. 3. Subsection (B), Section 4, Chapter 507, Acts of the 58th Legislature, 1963, is amended to read as follows:

"(B) Bexar County shall constitute the 37th, 45th, 57th, 73rd, 131st, 141st, 144th, 150th, 166th, and 175th Judicial Districts of Texas. Each of the 10 district courts shall have and exercise civil and criminal jurisdiction in Bexar County. The district courts of Bexar County shall have and exercise, in addition to the jurisdiction now conferred or to be conferred by law on district courts, concurrent jurisdiction coextensive with the limits of Bexar County in all actions, proceedings, matters and causes, both civil and criminal, of which district courts of general jurisdiction are given jurisdiction by the Constitution and laws of the State of Texas."

Sec. 4. Subsection (E), Section 4, Chapter 507, Acts of the 58th Legislature, 1963, is amended to read as follows:

"(E) The 141st, 144th, and 175th District Courts of Bexar County shall hold six terms of court each year for the trial of causes and the disposition of business coming before those courts, one term beginning the first Monday in January; one the first Monday in March; one the first Monday in May; one the first Monday in July; one the first Monday in September; one the first Monday in Novem-

ber; each term to last for two months. Each term shall continue until the business is disposed of."

Sec. 5. Subsection (G), Section 4, Chapter 507, Acts of the 58th Legislature, 1963, is amended to read as follows:

"(G) All indictments shall be returned to the 141st, 144th, and 175th District Courts of Bexar County. The district clerk shall docket successively on the dockets of the district courts of the 37th, 45th, 57th, 73rd, 131st, 150th, and 166th Judicial Districts all civil cases, actions, causes, petitions, applications, or other proceedings so that the first case or proceeding filed on or after the effective date of this Act and every eighth case or proceeding thereafter shall be docketed in the 37th Judicial District; and the second case or proceeding filed and every eighth case or proceeding thereafter filed shall be docketed in the 45th Judicial District; and the third case or proceeding filed and every eighth case or proceeding thereafter filed shall be docketed in the 57th Judicial District; and the fourth case or proceeding and every eighth case or proceeding thereafter filed shall be docketed in the 73rd Judicial District; and the fifth case or proceeding and every eighth case or proceeding thereafter filed shall be docketed in the 131st Judicial District; and the sixth case or proceeding and every eighth case or proceeding thereafter filed shall be docketed in the 150th Judicial District; and the seventh case or proceeding and every eighth case or proceeding thereafter filed shall be docketed in the 166th Judicial District; and so on seriatim; and in this manner all cases or proceedings filed to be docketed in and divided equally among the 37th, 45th, 57th, 73rd, 131st, 150th, and 166th District Courts, one-seventh in each court."

Sec. 6. Subsection (H), Section 4, Chapter 507, Acts of the 58th Legislature, 1963, is amended to read as follows:

"(H) The district judges of Bexar County shall, on or before the first day of January and the first day of July of each year, or at such other times as may be determined by a majority of the district judges, elect one of the district judges to serve as presiding judge of the Bexar County District Courts for a period of time to be set by the judges. The presiding

judge of the Bexar County District Judges shall, from time to time as occasion may require in order to adjust the business and dockets of the courts, transfer, or cause to be transferred, causes from any of the courts to any other of the courts in order that the business of the courts will be continually equalized and distributed among them to the end that each judge will at all times be provided with cases or proceedings to try or otherwise consider and that the trial of a cause will not be delayed because of the disqualification of the judge in whose court it is pending. When a case is transferred, proper order shall be entered upon the minutes of the court as evidence of the transfer. It is the intention of this section that the 141st, 144th, and 175th District Courts give preference to criminal cases, matters, or proceedings, while the other district courts give preference to civil cases, matters, or proceedings. For that purpose the 141st, 144th, and 175th District Courts constitute the criminal district courts of Bexar County, while the other district courts constitute the civil district courts of Bexar County. Each judge shall sign the minutes of each term of his court within 30 days after the end of the term and shall also sign the minutes at the end of each volume of the minutes, and each judge sitting in a court shall sign the minutes of the proceedings that were had before him."

Sec. 7. Subsection (K), Section 4, Chapter 507, Acts of the 58th Legislature, 1963, is amended to read as follows:

"(K) Each Judge of the said District Courts of Bexar County, Texas may take a vacation at any time during the calendar year, during which time the terms of Court of which he is Judge shall remain open and the Judge of any other District Court may hold such Court during the vacation of the Judge thereof. During the period of such vacation, it shall not be lawful for a Special Judge of such Court to be elected by the practicing lawyers of such Court because of the absence of the Judge on his vacation, unless no Judge of the said District Courts is in the County. The Judges of the said District Courts shall by agreement among themselves take their vacations alternately so that there shall be at all times at

least six (6) of the said Judges in the County at all times of the year."

Sec. 8. Subsection (M), Section 4, Chapter 507, Acts of the 58th Legislature, 1963, is amended to read as follows:

"(M) The sheriff of Bexar County, as hereinafter provided, either in person or by deputy, shall attend the several district courts as required by law, or when required by the judges, and the sheriff and constables of the several counties of this state, when executing process out of the district courts of Bexar County, shall receive fees as provided by law for executing process issued out of the district courts. The sheriff of Bexar County shall appoint one deputy to serve as bailiff for each of the district courts; except that the sheriff of Bexar County shall appoint two deputies to serve as bailiffs for each of the 141st, 144th, and 175th District Courts, each of which courts must give preference to the trial of criminal cases, matters, or proceedings. The persons appointed as deputies must be acceptable to the judge of the court to which they are appointed and the appointments for each court must be approved and confirmed in writing by the judge before the appointments become effective. The appointed deputy sheriffs shall, before assuming their duties, take the oath of office prescribed by the Constitution of the State of Texas; and the sheriff of Bexar County is authorized to require the deputies to furnish bonds in an amount, and conditioned and payable, as may be prescribed by the sheriff or provided by law. The deputies shall act in the name of their principal, and they may perform all official acts as may be lawfully performed by the sheriff of Bexar County in person. The deputies shall, from and after their appointments, qualification, and confirmations, as hereinabove provided, continue as deputies at the pleasure of the judge of the court to which they were appointed; and should any of the judges, for any reason, not further desire the services of the deputies appointed to his court, the sheriff of Bexar County shall, upon the request of the judge, appoint another deputy for that court, the appointment to be made in the same manner hereinabove provided. The deputies shall attend all sessions of the district court to which

they are appointed and also shall perform and render services in and for the court, and for the judge, as are usually performed and rendered by sheriffs and deputies in and about the several district courts of this state, and including the serving of any and all process, subpoenas, warrants, and writs of any and all kinds, and nature in both civil and criminal cases, matters, and proceedings; and the deputies shall also perform and render any and all other services that may from time to time be assigned to them or to any of them by the judges of the courts. The deputies have, possess, and enjoy the same rights, powers, authority and privileges that the sheriffs and their deputies throughout this state may now or hereafter possess and enjoy. The deputies may act for each other, and they shall act for each other when required to do so by any of the judges or by the sheriff; but the deputies acting for each other are not entitled to receive, nor may they receive, any additional compensation. The sheriff of Bexar County shall, in the event of a vacancy caused by any reason, immediately appoint another deputy for the court in which the vacancy occurred, the appointment to be subject to the written approval and confirmation of the judge of that court. The judge of each court shall fix the salary to be paid the deputies for his court, in any sum not less than \$3,900 annually. The annual salaries to be paid to the deputies, when fixed by the judges as herein provided, shall be paid to them either monthly or twice monthly out of a fund of Bexar County as provided by law for the payment of salaries of the several deputies of the sheriff of Bexar County, and the payment of the salaries shall be made in the manner provided by law. Provided that nothing herein shall be construed as preventing the sheriff of Bexar County from assigning additional deputies to any of the district courts when circumstances require, or when requested to do so by the judge of any of the district courts. Provided that nothing contained in Section 4 of this Act is intended to change the duties of the sheriff of Bexar County except as herein specifically and expressly stated."

Sec. 9. Subsection (N), Section 4, Chapter 507, Acts of the 58th Legis-

lature, 1963, is amended to read as follows:

"(N) The clerk of the district courts of Bexar County shall be the clerk of the 37th, 45th, 57th, 73rd, 131st, 141st, 144th 150th, 166th, and the 175th District Courts and shall be compensated as provided by law. The district clerk shall appoint one deputy for each of the district courts; provided that the persons appointed must be acceptable to the judges of the courts, and the appointment for each court must be confirmed in writing by the judge before it becomes effective. The appointed deputy clerks shall, before assuming their duties, take the oath of office prescribed by the Constitution of the State of Texas; and the district clerk of Bexar County is authorized to require the deputies to furnish bonds in an amount, and conditioned and payable, as may be prescribed by the district clerk or provided by law. The deputy district clerks shall act in the name of their principal, and they may perform all official acts as may be lawfully performed by the district clerk in person; and each deputy shall attend all sessions of the court to which he was appointed, and perform the services in and for the court that are usually performed by the district clerk and deputies in the several district courts of this state; and the deputies shall also perform any and all other services that may from time to time be assigned them by the judges of the courts. The deputies may act for each other in any matter pertaining to the clerical business of the courts, and they shall act for each other when requested to do so by the judges or by the district clerk; but the deputies acting for each other are not entitled to receive, nor may they receive, any additional compensation. The deputies shall, from and after their appointments, confirmations and qualifications as herein provided, continue as deputies at the pleasure of the judges; and should any of the judges, for any reason, not further desire the services of the deputy appointed to his court, the district clerk of Bexar County shall, upon request of the judge, appoint another deputy for that court, the appointment to be made in the manner hereinabove provided. In the event of a vacancy, caused by any reason, the district clerk shall immediately appoint another deputy for the court in which

the vacancy occurred, the appointment to be subject to the written approval and confirmation of the judge of that court. The judge of each court shall determine and fix the salary to be paid the deputy for his court in any amount not less than \$4,400 annually. The annual salary shall be paid either monthly or twice monthly out of a fund of Bexar County as provided by law for the payment of the salaries of the several deputy district clerks of Bexar County, and the payment of the salaries shall be made in the manner provided by law. Provided that nothing herein shall be construed as preventing the district clerk of Bexar County from assigning additional deputies to any of the courts when circumstances require, or when requested to do so by the judge of any of the courts. Provided that nothing contained in Section 4 of this Act is intended to change the duties and powers that heretofore have been and are now being exercised by the district clerk of Bexar County except as herein specifically and expressly stated."

Sec. 10. Subsection (O), Section 4, Chapter 507, Acts of the 58th Legislature, 1963, is amended to read as follows:

"(O) The criminal district attorney of Bexar County shall be the district attorney of the 37th, 45th, 57th, 73rd, 131st, 141st, 144th, 150th, 166th, and 175th District Courts and shall be compensated as provided by law."

Sec. 11. Subsection (Q), Section 4, Chapter 507, Acts of the 58th Legislature, 1963, is amended to read as follows:

(Q) The judges of the 141st, 144th, and 175th District Courts shall alternately appoint grand jury commissioners and empanel grand juries; and further, they may appoint grand jury bailiffs, not to exceed seven. Each judge may appoint two bailiffs, and if needed may jointly appoint the seventh bailiff. The bailiffs are subject to removal at the will of the judges who appointed them."

Article 4. Criminal District Courts No. 7 and 8 of Harris

Section 1. There are hereby created and established at the City of Houston, two new Criminal District Courts to be known as the "Criminal District Court No. 7 of Harris County," and the "Criminal District Court No. 8 of Harris County," which courts shall

have and exercise concurrent jurisdiction with the Criminal District Court of Harris County, the Criminal District Court No. 2 of Harris County, the Criminal District Court No. 3 of Harris County, the Criminal District Court No. 4 of Harris County, the Criminal District Court No. 5 of Harris County, and the Criminal District Court No. 6 of Harris County, under the Constitution and the laws of the State of Texas.

Sec. 2. From and after the time this law shall take effect, the Criminal District Court of Harris County, the Criminal District Court No. 2 of Harris County, the Criminal District Court No. 3 of Harris County, the Criminal District Court No. 4 of Harris County, the Criminal District Court No. 5 of Harris County, the Criminal District Court No. 6 of Harris County, the Criminal District Court No. 7 of Harris County, and the Criminal District Court No. 8 of Harris County, shall have and exercise concurrent jurisdiction with each other in all felony causes, and in all matters and proceedings of which the said Criminal District Court of Harris County, the Criminal District Court No. 2 of Harris County, the Criminal District Court No. 3 of Harris County, the Criminal District Court No. 4 of Harris County, the Criminal District Court No. 5 of Harris County, and the Criminal District Court No. 6 of Harris County now have jurisdiction; and the Judge of any one of said Criminal District Courts may in his discretion transfer any cause or causes that may at any time be pending in his court to one of the other Criminal District Courts by an order or orders entered upon the minutes of his court; and where such transfer or transfers are made the Clerk of such Criminal District Court shall enter such cause or causes upon the docket to which such transfer or transfers are made, and, when so entered upon the docket, the judge of that court shall try and dispose of said causes in the same manner as if such causes were originally instituted in said court, provided no case shall be transferred without the consent of the judge of the court to which transferred. When this Act takes effect, the Clerk of the Criminal District Courts of Harris County shall at once transfer to and docket in the Criminal District Court

No. 7 of Harris County the felony case having the lowest number pending on the docket of each of the other Criminal District Courts of Harris County and shall transfer and docket each succeeding eighth felony case on the docket of each of the other Criminal District Courts of Harris County in the Criminal District Court No. 7 of Harris County; and he shall at once transfer to and docket in the Criminal District Court No. 8 of Harris County the felony case having the second lowest number pending on the docket of each of the other Criminal District Courts of Harris County and shall transfer and docket each succeeding eighth felony case on the docket of each of the other Criminal District Courts of Harris County in the Criminal District Court No. 8 of Harris County. After the effective date of this Act, the Clerk of the Criminal District Courts shall file and docket felony cases in the Criminal District Courts of Harris County, the Criminal District Court No. 2 of Harris County, the Criminal District Court No. 3 of Harris County, the Criminal District Court No. 4 of Harris County, the Criminal District Court No. 5 of Harris County, the Criminal District Court No. 6 of Harris County, the Criminal District Court No. 7 of Harris County, and the Criminal District Court No. 8 of Harris County in rotation in the order filed so that the first case or proceeding filed after the effective date of this Act and every eighth case or proceeding thereafter filed shall be docketed in the Criminal District Court of Harris County, and the second case or proceeding filed and every eighth case or proceeding thereafter filed shall be docketed in the Criminal District Court No. 2 of Harris County, and the third case or proceeding filed and every eighth case or proceeding thereafter filed shall be docketed in the Criminal District Court No. 3 of Harris County, and the fourth case or proceeding filed and every eighth case or proceeding thereafter filed shall be docketed in the Criminal District Court No. 4 of Harris County, and the fifth case or proceeding filed and every eighth case or proceeding thereafter filed shall be docketed in the Criminal District Court No. 5 of Harris County, and the sixth case or proceeding filed and every eighth case or pro-

ceeding thereafter filed shall be docketed in the Criminal District Court No. 6 of Harris County, and the seventh case or proceeding filed and every eighth case or proceeding thereafter filed shall be docketed in the Criminal District Court No. 7 of Harris County, and the eighth case or proceeding filed and every eighth case or proceeding thereafter filed shall be docketed in the Criminal District Court No. 8 of Harris County, and so on in rotation.

Sec. 3. The Judge of the Criminal District Court No. 7 of Harris County and the Judge of the Criminal District Court No. 8 of Harris County, shall each be elected by the qualified voters of Harris County for a term of four (4) years, and each shall hold his office until his successor shall have been elected and qualified. They shall each possess the same qualifications as are required of the Judge of the District Court, and shall receive the same salary and additional compensation as is now or may hereafter be paid to the District Judges, to be paid in like manner. They shall each have and exercise all the powers and duties now or hereafter to be vested in and exercised by District Judges of the Criminal District Court of Harris County, the Criminal District Court No. 2 of Harris County, the Criminal District Court No. 3 of Harris County, the Criminal District Court No. 4 of Harris County, the Criminal District Court No. 5 of Harris County, and the Criminal District Court No. 6 of Harris County. The judge of each said courts may exchange with any District Judge, as provided by law in cases of District Judges, and, in case of disqualification or absence of the Judge, a Special Judge may be selected, elected or appointed as provided by law in cases of District Judges; provided that the Governor, under the authority now provided by law, upon this Act becoming effective, shall appoint a judge of each said courts created by this Act who shall hold the office until the next general election, after the passage of this Act, and until his successor shall have been elected and qualified. The Judge of any one of said Criminal District Courts may, in his discretion, in the absence of the Judge of one of the other Criminal District Courts from his courtroom or from the County



of Harris, Texas, try and dispose of any cause or causes that may be pending in such Criminal District Courts as fully as could such absent judge were he personally present and presiding. And any one of said Judges may receive in open court from the foreman of the grand jury any bill or bills of indictment in the court to which such bill or bills of indictment may be returnable, entering the presentment of such bill or bills of indictment in the minutes of the proceedings of such court, and may hear and receive from any empaneled petit jury any report, information or verdict, and make and cause to be entered any order or orders in reference thereto, or with reference to the continuation of the deliberation of such petit jury or their final discharge, as fully and completely as such absent District Judge could do if personally present and presiding over such court; and may make any other order or orders in such courts respecting the causes therein pending or the procedure pertaining thereto as the regular Judge of said Criminal Court could make if personally present and presiding.

The judges of Criminal District Court No. 7 of Harris County and Criminal District Court No. 8 of Harris County are entitled to the same salary provided for other judges of Criminal District Courts in the general appropriations act.

Sec. 4. The Criminal District Court No. 7 of Harris County shall have a seal of like design as the seal now provided by law for District Courts, except that the words "Criminal District Court No. 7 of Harris County" shall be engraved around the margin, and the Criminal District Court No. 8 of Harris County shall have a seal of like design as the seal now provided by law for District Courts, except that the words "Criminal District Court No. 8 of Harris County" shall be engraved around the margin, which seals shall be used for all the purposes for which the seals of the District Courts are required to be used; and certified copies of the orders, proceedings, judgments and other official acts of each court, under the hands of the clerk and attested by the seal of either of said courts, shall be admissible in evidence in all the courts of this state in like manner as similar

certified copies from courts of record are now or may hereafter be admissible.

Sec. 5. The Sheriff, District Attorney, and the Clerk of the Criminal District Court of Harris County, as heretofore provided by law, shall be the Sheriff, District Attorney, and Clerk, respectively, of said Criminal District Court No. 7 of Harris County and said Criminal District Court No. 8 of Harris County under the same rules and regulations as are now or may hereafter be prescribed by law for the government of Sheriffs, District Attorneys and Clerks of the District Courts of the state; and said Sheriff, District Attorney and Clerk shall respectively receive such fees as are now or may hereafter be prescribed by law for such officers in the District Courts of the state, to be paid in the same manner. The County Commissioners Court shall have authority to pay out of the Officers' Salary Fund or other general funds of the county for the services of such special deputy district clerks as in their judgment shall be required, such special deputy or deputies to be appointed by the Clerk of the Criminal District Court, and to be removable at the will of the clerk, and to be paid a salary not to exceed the compensation allowed by law to other deputy district clerks, said salary shall be payable monthly. The District Attorney may appoint an assistant District Attorney in addition to those now provided by law to attend said courts. Said assistant shall have the authority and shall qualify as provided by law for assistant District Attorneys, and shall be removable at the will of the District Attorney, and shall receive a salary not to exceed the maximum salary allowed assistant District Attorneys; said salary to be payable monthly by said county by warrant drawn from the Officers' Salary Fund or other general funds thereof. The Judge of the Criminal District Court No. 7 of Harris County and the Judge of the Criminal District Court No. 8 of Harris County shall each appoint an official court reporter for his court as provided by law.

Sec. 6. The Criminal District Court No. 7 of Harris County and the Criminal District Court No. 8 of Harris County shall each hold four (4) terms each year for the trial of



referred H. C. R. No. 114, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.  
CHRISTIE  
WORD

#### House Concurrent Resolution 114 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent H. C. R. No. 114 was ordered not printed.

#### House Concurrent Resolution 114 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 114, Granting permission to Leonard Milstead to sue the State.

The resolution was read.

On motion of Senator Brooks, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Motion to Place House Bill 161 on Second Reading

Senator Watson asked unanimous consent to suspend the regular order of business and take up H. B. No. 161 for consideration at this time.

There was objection.

#### House Bill 1117 on Second Reading

Senator Berry moved that Senate Rules 13, 32, 37 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 1117 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hall
Bates	Hardeman
Bernal	Harrington
Berry	Hazlewood
Blanchard	Herring
Brooks	Hightower
Christie	Jordan
Cole	Kennard
Connally	Mauzy
Grover	Moore

Parkhouse	Strong
Patman	Wade
Ratliff	Watson
Reagan	Wilson
Schwartz	Word

Nays—1

Creighton

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 1117, A bill to be entitled "An Act relating to employment of an executive secretary by the State Board of Examiners in the Basic Sciences, etc., and declaring an emergency."

The bill was read the second time and was passed to third reading.

#### House Bill 1117 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 1117 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

#### Vote on Final Passage of House Joint Resolution 3 Reconsidered

On motion of Senator Kennard, and by unanimous consent, the vote by which H. J. R. No. 3 was finally passed was reconsidered.

Question—Shall H. J. R. No. 3 be finally passed?

Senator Kennard offered the following amendment to the resolution:

Amend H. J. R. No. 3 by striking the following words in Sec. 2 of the resolution: "The first Tuesday after the first Monday in November, 1967"; and substitute therefor the following: "November 11, 1967."

The amendment was read and was adopted by the following vote:

Yeas—31

Aikin	Connally
Bates	Creighton
Bernal	Grover
Berry	Hall
Blanchard	Hardeman
Brooks	Harrington
Christie	Hazlewood
Cole	Herring

Hightower  
Jordan  
Kennard  
Mauzy  
Moore  
Parkhouse  
Patman  
Ratliff

Reagan  
Schwartz  
Strong  
Wade  
Watson  
Wilson  
Word

The resolution, as amended, was again passed by the following vote:

**Yeas—31**

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

**House Bill 1064 on Second Reading**

Senator Jordan moved that Senate Rules 13, 32, 37 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 1064 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Hall	Strong
Hardeman	Wade
Harrington	Watson
Hazlewood	Wilson
Herring	Word

**Nays—1**

Grover

The President then laid before the

Senate on its second reading and passage to third reading the following bill:

H. B. No. 1064, A bill to be entitled "An Act prohibiting the use of certain shrimp trawls in the shrimp nursery grounds of Harris, Chambers and Galveston Counties; providing a penalty; and declaring an emergency."

The bill was read the second time and was passed to third reading.

**House Bill 1064 on Third Reading**

The Constitutional Rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 1064 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

**House Bill 1217 on Second Reading**

Senator Jordan moved that Senate Rules 13, 32, 37 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 1217 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Herring	Word

**Nays—1**

Hazlewood

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 1217, A bill to be entitled

"An Act relating to the extension of workmen's compensation insurance to employees of certain drainage districts under the terms of Chapter 428, Acts of the 51st Legislature, Regular Session, 1949 (Article 8309c, Vernon's Texas Civil Statutes), and pursuant to Section 60, Article III, Constitution of the State of Texas; and declaring an emergency."

The bill was read the second time and was passed to third reading.

#### House Bill 1217 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 1217 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

#### Motion to Place House Bill 981 on Second Reading

Senator Reagan asked unanimous consent to suspend the regular order of business and take up H. B. No. 981 for consideration at this time.

There was objection.

#### Motion to Place House Joint Resolution 24 on Second Reading

Senator Reagan asked unanimous consent to suspend the regular order of business and take up H. J. R. No. 24 for consideration at this time.

There was objection.

#### Senate Resolution 770

Senator Word offered the following resolution:

Whereas, During the 60th Legislature there have been many familiar faces in daily attendance, among which are those of both Houses, as well as of the "Third House." Of this latter group there was one very important face missing, who was and is a friend to those of his associates and acquaintances, and

Whereas, This fine gentleman gave many years service to the "Third House" and to the State in general, and is loved and respected by all who know him, and

Whereas, He has been missed by his many friends in Austin, by whom

he was familiarly called "Senator" Raley, now, therefore be it

Resolved, That the Senate of Texas hereby send its greetings and best wishes to Honorable Luther P. Raley of Valley Mills, and that a copy of this Resolution, under the seal of the Senate, be sent to "Senator" Raley.

WORD  
HARDEMAN  
AIKIN  
HIGHTOWER  
REAGAN  
PATMAN  
RATLIFF  
HALL

Signed—Lieutenant Governor Preston Smith; Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Creighton, Grover, Harrington, Hazlewood, Herring, Jordan, Kennard, Mauzy, Moore, Parkhouse, Schwartz, Strong, Wade, Watson, Wilson.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted.

#### Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. B. No. 25, A bill to be entitled "An Act creating a State Commission for the Deaf and prescribing its powers and duties; and declaring an emergency."

H. B. No. 83, A bill to be entitled "An Act amending Section 2A of Chapter 99, Acts of the 51st Legislature, 1949, relating to credit for service in the Texas Legislature, by adding thereto a new section to be known as Section 2B (compiled as Section 2A of Article 6228b, Title 109, Vernon's Texas Civil Statutes) to provide that the time served in the Legislature of the State of Texas by any Judge coming within the purview of this Statute shall be credited to the length of judicial service; and declaring an emergency."

H. B. No. 89, A bill to be entitled

"An Act relating to voter registration and voter identification procedures at the polls; amending the Texas Election Code as follows; etc and declaring an emergency."

H. B. No. 113, A bill to be entitled "An Act creating the office of district attorney in the 85th Judicial District composed of Brazos County; prescribing the duties of district attorney; providing for his compensation; providing for an election of district attorney for the 85th Judicial District at the next general election after the effective date of this Act and at every second general election thereafter; and declaring an emergency."

Signed, subject to the provisions of Section 49A, Article III of the Constitution of the State of Texas.

H. B. No. 149, A bill to be entitled "An Act providing for the joint establishment and operation of recreational facilities by certain cities, towns, and independent school districts; and declaring an emergency."

H. B. No. 156, A bill to be entitled "An Act relating to the establishment of an advisory council for the study and research of the problems of language handicapped children and defining the duties of the Texas Education Agency and the commissioner of Education concerning study and research into the problems of language handicapped children and the development and carrying out of diagnostic and treatment programs for such children; providing an appropriation; and declaring an emergency."

H. B. No. 168, A bill to be entitled "An Act relating to deposit of fees collected by Water Rights Commissioner; etc.; and declaring an emergency."

Signed, subject to the provisions of Section 49A, Article III of the Constitution of the State of Texas.

H. B. No. 212, A bill to be entitled "An Act to carry into effect the provisions of the proposed amendment adding Section 49e to Article III of the State Constitution; defining certain terms; designating the Parks and Wildlife Department to perform the governmental functions authorized by this Act; authorizing the issuance of Seventy-Five Million Dol-

lars (\$75,000,000) State Bonds to create the Texas Park Development Fund; etc., and declaring an emergency."

H. B. No. 214, A bill to be entitled "An Act regulating the "Going Out of Business" sales and declaring an emergency."

H. B. No. 293, A bill to be entitled "An Act adopting the Business & Commerce Code; formally revising and reenacting certain statutes of a commercial nature, including the Uniform Commercial Code and statutes relating to competition and trade practices, insolvency, fraudulent transfers, and fraud, and miscellaneous commercial subjects; repealing the statutes disposed of by the code; and declaring an emergency."

H. B. No. 294, A bill to be entitled "An Act relating to selection of grand jurors; etc; and declaring an emergency."

H. B. No. 320, A bill to be entitled "An Act amending Section 1 of House Bill No. 633, Chapter 163, Acts of the Regular Session of the Fifty-fourth Legislature of Texas, 1955, authorizing the use of electro-trawls by Commercial Gulf Shrimp Boats in the waters of the Gulf of Mexico; providing a repealing clause; providing a saving clause; and declaring an emergency."

H. B. No. 344, A bill to be entitled "An Act authorizing independent school districts of more than 150 scholastics to adopt an alternate method of selecting a school depository or depositories by the adoption of an Act known as The School Depository Act of 1967; etc., and declaring an emergency."

H. B. No. 353, A bill to be entitled "An Act concerning traffic safety; expressing legislative intent; providing for authority of the Governor; establishing a statewide traffic safety program; providing for research and development projects; directing cooperation of State agencies; providing for authority of local political subdivisions; establishing a Traffic Safety Fund; providing for grants in aid to political subdivisions for governmental purposes; providing for responsibilities of the Governor; directing the disposition of fees; provid-

ing a severability clause; providing a repealer; and creating an emergency."

H. B. No. 357, A bill to be entitled "An Act relating to compulsory inspection of certain equipment on motor vehicles, trailers, semitrailers, pole trailers, and mobile homes registered in this State; increasing the fees for motor vehicle inspections and for certifications of appointment for State-appointed inspection stations; amending Subsections (a) and (b) of Section 140, Subsections (a), (b), (d), and (e) of Section 141, and Subsection (a) of Section 142, Chapter 421, Acts of the 50th Legislature, Regular Session, 1947, as amended (Article 6701d, Sections 140, 141, and 142, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 387, A bill to be entitled "An Act making it unlawful and a felony for any person who shall enter upon any premises or public utility right-of-way with intent to steal or carry away without consent of the owner or assist in stealing or so carrying away any copper wire or copper cable; providing that any person illegally transporting more than a certain amount of copper wire or copper cable shall be guilty of a felony; etc., and declaring an emergency."

H. B. No. 410, A bill to be entitled "An Act establishing temporary protection of alligators in the State of Texas; amending Article 978g, Penal Code of Texas, 1925, as amended; providing a penalty for violations, and declaring an emergency."

H. B. No. 434, A bill to be entitled "An Act to define scrap metal, to define scrap metal dealers; to require scrap metal dealers to keep records of certain transactions; to file reports concerning certain transactions; to keep such articles separate for 7 days; to prescribe penalties; repealing all laws in conflict, providing a severability clause; and declaring an emergency."

H. B. No. 457, A bill to be entitled "An Act authorizing the producers of any agricultural commodity to conduct a referendum, either on an area or statewide basis, on the proposition of whether or not such producers shall levy an assessment upon themselves, to finance programs of re-

search, education and promotion designed to encourage the production, marketing and use of such agricultural commodity; etc., and declaring an emergency."

H. B. No. 466, A bill to be entitled "An Act amending Chapter 156, Acts of the 55th Legislature, Regular Session, 1957 (Article 1724, Vernon's Texas Penal Code), prohibiting the making or filing of false, misleading or unfounded reports to any governmental agency in this State for the purpose of interfering with the operation of such governmental agency or to mislead any officer of such agency; etc., and declaring an emergency."

H. B. No. 557, A bill to be entitled "An Act relating to notice and bonding requirements for nonresident construction contractors; prescribing a penalty; providing exemptions; and declaring an emergency."

H. B. No. 561, A bill to be entitled "An Act pertaining to the tax lien of the State for delinquent taxes, etc., and declaring an emergency."

H. B. No. 765, A bill to be entitled "An Act relating to investigation by law enforcement officers of accidents occurring on certain private property, etc., and declaring an emergency."

H. B. No. 731, A bill to be entitled "An Act relating to the licensing of managing general agents of certain insurance companies or carriers by the State Board of Insurance; providing penalties; and declaring an emergency."

H. B. No. 757, A bill to be entitled "An Act relating to furnishing legal counsel for indigents accused of crime and to investigate entitlement to release of persons on personal bond; and declaring an emergency."

H. B. No. 774, A bill to be entitled "An Act relating to regulating the sale, use, and transportation of herbicides; etc., and declaring an emergency."

H. B. No. 781, A bill to be entitled "An Act relating to the sale of liquor or beer to minors; increasing the period of suspension of a license or permit for selling liquor or beer to certain minors; prescribing a new rule of evidence, in civil and criminal

proceedings; etc., and declaring an emergency."

H. B. No. 866, A bill to be entitled "An Act relating to the salary of the Judge of the Court of Domestic Relations of Smith County; amending Section 5, Chapter 16, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 2338-8, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1011, A bill to be entitled "An Act relating to the compensation of certain county officials in counties having a population of 1,000,000 or more; amending Subsection (b), Section 8, Chapter 427, Acts of the 54th Legislature, 1955, as amended; and declaring an emergency."

H. B. No. 911, A bill to be entitled "An Act changing the boundaries of State Representative Districts, etc., and declaring an emergency."

H. J. R. No. 60, Proposing an amendment to Article III, Constitution of the State of Texas, adding Section 64, to provide for consolidating offices and functions of government by act of the Legislature and for performance of governmental functions by contract between political subdivisions in counties of not less than 300,000 and not more than 600,000 inhabitants according to the 1960 Federal Census.

H. B. No. 914, A bill to be entitled "An Act relating to salaries for judges of the Travis County Courts at Law; etc., and declaring an emergency."

H. B. No. 967, A bill to be entitled "An Act authorizing the commissioners court in counties of not less than 24,000 persons or more than 25,000 persons according to the last preceding federal census, and in counties of not less than 10,500 persons or more than 11,000 persons according to the last preceding federal census, to increase the salary or compensation of deputy sheriffs in an amount not to exceed 20 percent of the amount being paid at the effective date of this Act; and declaring an emergency."

H. B. No. 999, A bill to be entitled "An Act providing for the operation of ten-month school year program(s)

in Texas public free school districts, conditioned upon the approval thereof by the Central Education Agency as meeting policy and regulations established by the State Board of Education; providing for the financing of such program(s) annually approved, and the method for the determination of the cost to be shared by the State and for payment thereof from the Minimum Foundation School Fund; providing an effective date for this Act; and declaring an emergency."

Signed, subject to the provisions of Section 49A, Article III of the Constitution of the State of Texas.

H. B. No. 1012, A bill to be entitled "An Act relating to salary of Probate Court Judge of Tarrant County; etc., and declaring an emergency."

H. B. No. 1137, A bill to be entitled "An Act amending Sections 2 and 4 of House Bill No. 51, Chapter 481, Acts of the Fifty-sixth Legislature, Regular Session, 1959 (Article 2654-1b, Vernon's Texas Civil Statutes), to provide for the operation of non-English speaking children programs for a period of time not to exceed four and one-half months; to provide the formula for determination of salary of classroom teachers for program cost purposes of this Act; and declaring an emergency."

Signed, subject to the provisions of Section 49A, Article III of the Constitution of the State of Texas.

H. B. No. 1142, A bill to be entitled "An Act authorizing use of County School Transportation Fund and District Transportation Fund, etc., and declaring an emergency."

H. B. No. 1148, A bill to be entitled "An Act amending Subsection (A) of Section 2 and Section 19 of Senate Bill No. 74, Chapter 192, page 512, Acts of the 58th Legislature of the State of Texas, 1963, as amended (Article 1110c, Vernon's Texas Civil Statutes), to increase the number of counties affected by this Act by including in the Act all counties in the state with population in excess of 100,000; providing for severability; and declaring an emergency."

H. B. No. 1161, A bill to be entitled "An Act relating to returns filed by certain manufacturers under the limited sales, excise and use tax; amend-

ing Section (C), Article 20.05, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 1164, A bill to be entitled "An Act amending Chapter 467, House Bill No. 77, Acts of the 44th Legislature, 2nd Called Session, 1935, as such has been heretofore amended, being the Texas Liquor Control Act, etc., and declaring an emergency."

H. B. No. 1189, A bill to be entitled "An Act authorizing certain state officials and state agencies to assist and intercede in behalf of any city, county, school district, hospital district or other political subdivision of the state or political subdivision of the county participating in programs with the Federal government; declaring conditions under which such assistance and intercession shall be given; making other provisions relating thereto; providing a severability clause; and declaring an emergency."

H. B. No. 1277, A bill to be entitled "An Act changing the names of the criminal judicial districts of Harris County to regular numbered judicial districts and changing the names of the courts to district courts; and declaring an emergency."

H. B. No. 1286, A bill to be entitled "An Act authorizing the Texas Department of Agriculture to test agricultural products for aflatoxins and charge a fee for such tests; providing that fees collected shall be deposited in the Special Department of Agriculture Fund; providing for severability, and declaring an emergency."

H. B. No. 1302, A bill to be entitled "An Act granting to the Parks and Wildlife Commission regulatory authority over the wildlife resources of Kendall County subject to certain procedures and limitations; defining 'wildlife resources,' 'depletion,' 'waste,' and 'state of emergency' in relation to such wildlife resources; etc., and declaring an emergency."

H. B. No. 1306, A bill to be entitled "An Act relating to incitement to riot; and declaring an emergency."

H. B. No. 1322, A bill to be entitled "An Act providing for appointment of the Judge of Court of Domestic

Relations of Hutchinson County, etc., and declaring an emergency."

H. B. No. 1342, A bill to be entitled "An Act relating to appointment and compensation of assistant county attorneys and secretaries in certain counties, etc., and declaring an emergency."

H. B. No. 1360, A bill to be entitled "An Act relating to an additional tax for common school districts in certain counties; and declaring an emergency."

H. C. R. No. 24, Providing for an Interim Committee for the study of Land Use and Environmental Control.

H. C. R. No. 99, Regarding Mexican Flag captured at San Jacinto.

H. C. R. No. 124, Congratulating Dean James R. D. Eddy.

H. C. R. No. 125, Congratulating the people of Kent County, Texas, as they celebrate the 75th Anniversary of the county's organization.

H. C. R. No. 127, Creating an interim legislative Committee on the Preservation of the Governor's Mansion.

H. C. R. No. 136, Creating an Interim Committee to study the problems of parking in the Capitol Complex.

H. C. R. No. 162, Commending American Airlines, and Mr. C. R. Smith, for their efforts to promote and publicize Texas.

H. C. R. No. 137, Granting Bonifacia Cavazos permission to sue the State.

#### House Bill 1074 on Second Reading

Senator Bernal moved that Senate Rules 13, 32, 37 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 1074 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin

Bernal

Berry	Mauzy
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Harrington	Schwartz
Hazlewood	Strong
Herring	Wade
Hightower	Wilson
Kennard	Word

**Nays—6**

Blanchard	Hardeman
Grover	Jordan
Hall	Watson

**Absent****Bates**

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 1074, A bill to be entitled "An Act relating to examination and confinement of dangerous alcoholics; amending Subsection (c), Section (9), Chapter 411, Acts of the 53rd Legislature, Regular Session, 1953 (Article 5561c, Vernon's Texas Civil Statutes); and declaring an emergency."

The bill was read the second time and was passed to third reading.

**Record of Votes**

Senators Grover and Watson asked to be recorded as voting "Nay" on the passage of the bill to third reading.

**House Bill 1074 on Third Reading**

The Constitutional Rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 1074 before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Record of Votes**

Senators Grover, Watson, Blanchard, Hardeman, Jordan, Patman, Hall and Hazlewood asked to be recorded as voting "Nay" on the final passage of the bill.

**Senate Bill 261 With House Amendments**

Senator Cole called S. B. No. 261

from the President's Table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

**Amendment 1**

Amend S. B. No. 261 by adding a new Section 6 to read as follows and renumbering Section 6 to Section 7:

"Sec. 6. This Act shall take effect September 1, 1968."

**Amendment 2**

Amend Sections 5 and 6 of S. B. No. 261 to read as follows:

Section 5. The following sums or as much of them as may be necessary for the objectives and purposes shown are appropriated from the General Revenue Fund for the expenses of the Fourteenth Supreme Judicial District for the fiscal year ending August 31, 1968.

**Fourteenth District, Houston****Personal Services—**

1. Judges, 3 at \$24,000	\$72,000
2. Clerk	10,000
3. Deputy Clerk	5,616
4. Stenographer III	5,616

**Subtotal, Personal Services**

\$93,232

5. Consumable supplies and materials, current and recurring operating expenses (excluding travel expense), and capital outlay	3,400
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**Total, Fourteenth District, Houston**

\$96,632

Section 6. This Act takes effect on September 1, 1967.

The House amendments were read.

Senator Cole moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following Conferees on the part of the Senate on the bill: Senators Cole, Watson, Moore, Jordan and Brooks.



## Senate Resolution 771

Senator Bernal offered the following resolution:

Whereas, The Texas Rangers have been in existence historically since 1835, when the first resolution was passed by the "Permanent Council" under the leadership of Stephen F. Austin to create a corps of Texas Rangers for the purpose of protecting the frontier against the Indians, and

Whereas, The Texas Rangers began to make a name for themselves during the years of the Texas Republic (1836-1845) under the presidency of Sam Houston, as protectors of the frontier, and

Whereas, After the war with Mexico, the Indians became more aggressive than ever and fighting occurred all along the frontier, and it was during this time that the Rangers were dismissed and again reorganized, and

Whereas, During the period between the Mexican War and the Civil War, bloody conflicts with the Indians caused the removal of most of the Indians to Federal reservations outside of Texas, and

Whereas, During the Reconstruction period (1865-1873) Governor E. J. Davis caused the re-regimentation of the Rangers as a state police force, and thereafter the Rangers fell into disrepute with the war-tired people of Texas, and

Whereas, In May, 1874, Governor Richard Coke's administration appropriated \$75,000 to organize six companies of Texas Rangers and then became known as the Frontier Battalion which did much to clear the border of Indians and outlaws, and

Whereas, In 1901, the Frontier Battalion, as such, was abolished and Ranger activities were redirected towards general law enforcement among the citizens, and each Ranger was thereafter considered as a statewide peace officer, and

Whereas, During 1915, a plan by Germany and Japan to assist the Mexicans to recapture Texas was discovered, and as a result of these occurrences many innocent persons were killed, and murder was committed by citizens and Texas Rangers alike, and

Whereas, These excesses led to an investigation of the Texas Rangers by the Texas Legislature, and

Whereas, The Rangers, at this time, again had deteriorated, as members had been appointed on the basis of political influence, and not because of character or ability, and this investigation, begun in January, 1919, caused a cutback in the force to four companies of not more than 15 men, and

Whereas, By an act of the 44th Legislature in 1935, the Texas Ranger Force was placed under the jurisdiction of the Department of Public Safety to serve with all powers of peace officers, and

Whereas, The Texas Rangers have historically made a fine name for themselves in preserving law and order by "protecting the frontier," and

Whereas, That historical contribution can be fully understood and appreciated by the citizens of Texas, and

Whereas, Now in 1967 we no longer have Indian raids, Salt Wars, border raids (as occurred following the 1910 revolution in Mexico), spies, conspirators and saboteurs lurking on the border (as occurred during World War I), or trouble with smugglers and bootleggers (as occurred during Prohibition), and

Whereas, The validity of the oath which is taken by every Ranger . . . "and I do further solemnly swear that in my personal and official life I will never commit an act or deed that will bring discredit upon the Texas Rangers or the Texas Department of Public Safety" . . . is being seriously questioned by representatives of the Texas Council of Churches, and by representatives of the National Bishops' Committee for the Spanish Speaking, the Texas Catholic Conference, the American Jewish Committee (Southwest Region), and many other law abiding citizens because of a number of events recently reported in the newspapers, for example: San Antonio Express and News, Associated Press story, May 27, 1967, stating, "Rangers forcibly took picket signs from the demonstrators. Ranger Jack Van Cleve of Cotulla pushed volunteer worker Kathy Baker as she was walking across the street to a police car. 'See, I shoved another one,' he told a reporter.", and

Whereas, The San Antonio Express and News, May 28, 1967, edition,

stated, "While the train was passing I took a couple of pictures," related Rev. Ed Krueger, member of a team ministry assigned to the Lower Rio Grande Valley. "Capt. A. Y. Allee grabbed me by the collar and the seat of the pants, and said, 'You've been wanting to get arrested for a long time,' I was standing about 75 feet away from the train at the time." "Krueger said that when his wife took a picture she also was arrested. He said another Ranger slapped a hamburger from the hand of Magdaleno Dimas, a UFWOC member, in arresting him and then held his face a few inches away from the passing train"; and

Whereas, The San Antonio Express, May 19, 1967, edition, stated "The largest mass arrests in the 11-month-old Starr County farm labor dispute came Thursday when Texas Rangers placed 22 persons in jail on misdemeanor, illegal picketing charges. . . . The rangers, acting on a complaint signed by Onas Brand, a farm executive, arrested 22 pickets, five of them women, at the main gate to the farm";

Whereas, It is being publicly alleged by various churchmen and interested citizens that the Texas Rangers are not impartially enforcing the laws of the state in connection with a labor dispute in the Rio Grande Valley, but are acting as partisan police force on the side of management; and

Whereas, It is also being publicly alleged by these same citizens that the Texas Rangers are resorting to intimidation, unnecessary force, indignities, and harassment of citizens of this state; and

Whereas, Whether they be true or false, these and other charges are receiving wide publicity throughout the state and nation, and indeed throughout the world, and are thus projecting an unsavory image of the State of Texas for using its police force in the manner indicated by this publicity; now, therefore, be it

Resolved, by the Senate of the 60th Legislature, That such reports of incidents between Texas Rangers and picketing workers do have implications regarding Constitutional guarantees of freedom of speech, free assembly and the right of collective bargaining between labor and management that the Senate of Texas cannot ignore; and, be it further

Resolved, That the Senate General Investigating Committee, created by Senate Resolution 39, 60th Legislature, investigate all aspects of the involvement of Texas Rangers in the farm worker dispute in Starr County and the Rio Grande Valley of Texas.

The resolution was read and was referred to the Committee on Rules.

#### **Motion to Speak on Personal Privilege**

Senator Bernal requested that he be allowed to speak on Personal Privilege.

Senator Word raised the Point of Order that the request had not been submitted in writing.

The President sustained the Point of Order.

#### **Conference Committee Report on Senate Bill 567**

Senator Kennard submitted the following Conference Committee Report on S. B. No. 567:

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Hon. Ben Barnes, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and Senate on Senate Bill No. 567, have met and adjusted our differences and beg leave to recommend that Senate Bill No. 567 be passed in the form attached hereto.

Respectfully submitted,

KENNARD  
CREIGHTON  
HALL  
WORD  
HARRINGTON

On the part of the Senate.

MOYER  
SHANNON  
NUGENT  
JAMISON  
PARKER

On the part of the House.

S. B. No. 567,

An Act creating the 149th Judicial District; providing for its court and for the jurisdiction, terms, personnel, administration, and prac-

tice of the court; creating the 182nd Judicial District; providing for its court and for the jurisdiction, terms, personnel, administration, and practice of the court; creating the 181st Judicial District; providing for its court and for the jurisdiction, terms, personnel, administration, and practice of the court; creating the 183rd Judicial District; providing for its court and for the jurisdiction, terms, personnel, administration, and practice of the court; creating the 300th Judicial District; providing for its court and for the jurisdiction, terms, personnel, administration, and practice of the court; providing an effective date; making an appropriation; and declaring an emergency.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:**

**ARTICLE 1. 149TH JUDICIAL DISTRICT**

**Section 1. CREATION AND JURISDICTION.** (a) The 149th Judicial District is created. Its boundaries are coextensive with the boundaries of Potter County and Randall County, and its court is the 149th District Court.

(b) The 149th District Court has the jurisdiction provided for district courts by the Constitution and laws of this State. Its jurisdiction is concurrent in Potter County and in Randall County with that of the 47th and 108th District Courts.

**Sec. 2. TERMS OF COURT.** The terms of the 149th District Court begin on the first Monday in January and the first Monday in July of each year. Each term of the court continues until the next succeeding term convenes.

**Sec. 3. JUDGE.** (a) As soon as practicable after the effective date of this Act, the Governor shall appoint as Judge of the 149th District Court a person qualified to serve as a district judge under the Constitution and laws of this State. The judge appointed holds office until the next general election and until his successor is duly elected and qualified.

(b) The Judge of the 149th District Court is entitled to the same compensation and allowances provided by the state and counties for the other district judges in Potter and Randall counties.

**Sec. 4. COURT OFFICIALS.** (a) The Judge of the 149th District Court may appoint an official court reporter. The reporter must meet the qualifications prescribed by law for that office and is entitled to the same compensation, fees, and allowance provided by law for other official court reporters.

(b) The District Attorney of the 47th Judicial District shall serve as district attorney, and the sheriff and clerk in each county comprising the 149th Judicial District shall serve as sheriff and clerk, respectively, for the 149th District Court in his county. They shall perform the duties, and are entitled to the compensation and allowances, prescribed by law for their respective offices.

**Sec. 5. TRANSFER OF CAUSES.**

(a) The Judges of the 47th, 108th and 149th District Courts may freely transfer causes, civil and criminal, to and from the dockets of their respective courts. The judges may also freely exchange benches and courtrooms with each other so that if a judge is ill, disqualified, or otherwise absent, another judge may hold court for him without the necessity of transferring the causes involved.

(b) A judge of one of the district courts of Potter County or Randall County may hear all or any part of a cause pending in another district court of the county; and he may rule and enter orders on, continue, determine, or render judgment on all or any part of the cause without the necessity of transferring it to his own docket.

**ARTICLE 2. 182ND JUDICIAL DISTRICT**

**Section 1.** There is hereby created in and for Jefferson County, Texas, an additional District Court to be known as the District Court for the 182nd Judicial District of Texas composed of the County of Jefferson.

**Sec. 2.** The District Court for the 182nd Judicial District shall have and exercise concurrent jurisdiction with the 58th, 60th, and 136th District Courts within the limits of Jefferson County in all civil cases or proceedings and matters over which District Courts are given jurisdiction by the Constitution and laws of this State.

**Sec. 3.** The terms of the District Court for the 182nd Judicial District shall be as follows:

There shall be two terms of said

District Court for the 182nd Judicial District in Jefferson County in each year, and the first term, which shall be known as the January-June term, shall be begun in said Court on the first Monday in January and shall continue until and including Sunday next before the first Monday in July; and the second term, which shall be known as the July-December term, shall begin in said Court on the first Monday in July, and shall continue until and including Sunday next before the first Monday in the following January.

Sec. 4. The place of sitting of the District Court for the 182nd Judicial District shall be as follows:

Said court, in the discretion of the judge presiding, may sit at Port Arthur, Texas, for trial of non-jury cases. Nothing herein, however, shall be construed to prevent the trial of non-jury cases at Beaumont, Texas, or to deprive the court of jurisdiction to try non-jury cases at the county seat.

Sec. 5. Immediately on the effective date of this Act, the Governor shall appoint a suitable person having the qualifications provided by the Constitution and laws of this State as Judge of the District Court for the 182nd Judicial District, who shall hold office until the next general election, and until his successor shall be duly elected and qualified, as provided by the Constitution and laws of this State; and he shall receive such compensation as allowed other district judges under the laws of this State.

Sec. 6. The Judge of the 182nd District Court is authorized to appoint an official shorthand reporter of such court who shall have the qualifications now required by law of official shorthand reporters. Such reporter shall perform such duties as are required by law, and such duties as may be assigned to him by the Judge of the District Court for the 182nd Judicial District, and shall receive as compensation for his services the compensation now allowed to the official shorthand reporters under the laws of this State.

Sec. 7. The District Clerk of Jefferson County shall also act as district clerk of the 182nd Judicial District in Jefferson County. The District Clerk of Jefferson County shall docket alternately on the dockets of the District Courts of the 58th, 60th, 136th, and 182nd Judicial Districts in

Jefferson County all civil cases, actions, petitions, applications and other proceedings filed in the District Courts of Jefferson County, so that the first case or proceeding filed after the effective date of this Act and every fourth case or proceeding thereafter filed shall be docketed in the 58th Judicial District and the second case or proceedings filed and every fourth case or proceedings thereafter filed shall be docketed in the 60th Judicial District Court; and so forth. In this manner, all civil cases or proceedings shall be docketed in and distributed among the 58th Judicial District Court, the 60th Judicial District Court, the 136th Judicial District Court, and the 182nd Judicial District Court, one-fourth to each of them when first filed. All civil suits and proceedings shall be filed by the Clerk in the order in which the petitions are presented to or deposited with him, and immediately after being so presented or deposited.

Any cases or proceedings pending on the dockets of the 58th, 60th, 136th, or 182nd District Courts may in the discretion of the judge thereof be transferred from one of said courts to either of the other, either in term-time or in vacation, and the judges may in their discretion exchange benches or districts from time to time. In the case of the disqualification of the judge of any of said courts in any case or proceeding, such case or proceeding on the suggestion of such judge of the disqualification entered on the docket shall be transferred to another of said courts, and the order of transfer may be made by such disqualified judge or by any judge of another said courts; or instead of transferring the case or proceeding, the judge of any other of said courts may sit in the court in which the case or proceeding is then pending and there try the same, and all transferred cases or proceedings shall be docketed by the Clerk accordingly.

Sec. 8. All process, writs, bonds, recognizances or other obligations issued out of District Courts of Jefferson County are hereby made returnable to the terms of the District Courts of Jefferson County, as said terms are fixed by law and by this Act, and all bonds executed and recognizances entered in said courts shall bind the parties for their appearance or to fulfill the obligations of

such bonds or recognizances at the terms of such court as fixed by law and by this Act; and all process heretofore returned, as well as all bonds and recognizances heretofore taken in the District Courts of Jefferson County, shall be valid.

Sec. 9. The Sheriff of Jefferson County shall attend, either in person or by deputy, the court as required by law in Jefferson County or when required by the judge thereof, and the sheriffs and constables of the several counties of this State when executing process out of said court shall receive fees provided by General Law for executing process out of District Courts.

Sec. 10. The provisions of Article 52-160a, Vernon's Texas Code of Criminal Procedure, as amended, shall be applicable to the court herein created as well as the 58th, 60th, and 136th Judicial District Courts, as well as to the Criminal District Court of Jefferson County, Texas.

### ARTICLE 3. 181ST JUDICIAL DISTRICT

Section 1. An additional District Court is hereby created in and for the County of Denton, State of Texas, the limits of which district shall be coextensive with the limits of said county. Said court shall be known as the 181st District Court.

Sec. 2. Upon the effective date of this Act, the Governor shall appoint a Judge of the District Court for the 181st Judicial District, who shall have the qualifications required of judges of district courts of this State and who shall hold his office until the next general election and until his successor is duly elected and qualified.

Sec. 3. The terms of the District Court of the 181st Judicial District shall be on the first Mondays in January and June, and each term of court may continue in session until the Saturday night immediately preceding the Monday for convening the next regular term of such court. In the above-named county in which there are two (2) District Courts, such District Courts shall have concurrent jurisdiction with each other in said county throughout the limits thereof of all matters, civil and criminal, of which jurisdiction is given to the District Court by the Constitution and laws of this State.

Sec. 4. The Judges of the 16th

Judicial District Court, in and for Denton County, Texas, and the 181st Judicial District Court of Denton County, Texas, either in termtime or in vacation on motion of any party, or on agreement of the parties, or on their own motion transfer any case or proceeding, civil or criminal, on their dockets to the docket of the other District Court, and the judges of said courts may, in their discretion, exchange benches or districts from time to time, and whenever a judge of one of said courts is disqualified, he shall transfer the case or proceeding from his own court to one of the other courts, and any of said judges may in his own courtroom try and determine any case or proceedings pending in either of the other courts without having the case transferred, or may sit in any of the other courts, and there hear and determine any case or proceeding there pending, and such judgment and order shall be entered in the minutes of the court in which the case is pending, and two (2) or more judges may try different cases in the same court at the same time, and each may occupy his own courtroom, or the room of any other court. In the case of absence, sickness or disqualification of any of said judges, any other of said judges may hold court for him. Any of said judges may hear any part of any case or proceeding pending in any of said courts, and determine the same or may hear or determine any question in any case or proceeding and any other of said judges may complete the hearing and render judgment in the same. Any of said judges may hear and determine, demurrers, motions, petitions for injunction, application for appointment of receivers, interventions, pleas of privilege, pleas in abatement and all dilatory pleas, motions for new trials and all preliminary matters, questions and proceedings and may enter judgment or order thereon in the court in which the case or proceeding is pending without having the same transferred to the court of the judge acting and the judge in whose court the same is pending may thereafter proceed to hear, complete and determine the same or any other matter or any part thereof and render final judgment thereon. Any of the judges of said courts may issue restraining orders and injunctions returnable to any of the other judges of courts.

The specific matters mentioned in this section shall not be construed as a limitation on the powers of such judges when acting for any other judge by exchange of benches or otherwise.

Sec. 5. The District Clerk, Sheriff and District Attorney of Denton County shall perform all the duties and functions relative to all District Courts of their County as is required by law for the District Court thereof.

Sec. 6. The Judge of the 181st District Court is authorized to appoint an official court reporter for his Court, and said court reporter shall have the qualifications now required by law for official shorthand reporters. Such reporter shall perform the duties as required by law and such duties as may be assigned to the court reporter by the Judge of the Court to which the reporter is appointed and shall receive as compensation for his services the compensation now allowed or hereafter allowed for official shorthand reporters for District Courts under the laws of this State.

Sec. 7. All process, writs, bonds, recognizances, or other obligation issued out of District Courts of the County coming under this Act are hereby made returnable to the terms of the District Courts of said County as said terms are fixed by law and by this Act, and all bonds executed and recognizances entered in said Court shall bind the parties for their appearance or to fulfill the obligations of such bonds or recognizances at the terms of such Court as fixed by law and by this Act, and all process heretofore returned, as well as all bonds and recognizances heretofore taken in the District Courts of the County herein shall be valid.

Sec. 8. All grand and petit juries drawn and selected under existing laws in Denton County shall be considered lawfully drawn and selected for either the 16th District Court or the 181st District Court and may be used interchangeably in connection with said Courts.

Sec. 9. The letters A and B shall be placed on the Docket and the Court papers of the respective District Courts of Denton County, Texas, to distinguish them; the letter A, being used in connection with the 16th District Court and the letter B, being used in connection with the 181st District Court.

Sec. 10. At the next general elec-

tion after the creation of the one (1) District Court numbered herein, a Judge of the said Court shall be elected for a term of four (4) years and until his successor shall have been duly elected and qualified. Such person so appointed and elected shall have the qualifications provided by the Constitution and the laws of this State for District Judges. The Judge of the Court created by this Act shall draw the same compensation that it provided by the laws of the State of Texas for the District Judge of Denton County, Texas.

#### ARTICLE 4. 183RD JUDICIAL DISTRICT

Section 1. There is hereby created in and for Tarrant County, Texas, an additional District Court to be known as the District Court of the 183rd Judicial District of Texas composed of the County of Tarrant.

Sec. 2. The District Court for the 183rd Judicial District shall have and exercise concurrent jurisdiction with the 17th, 48th, 67th, 96th, and 153rd District Courts within the limits of Tarrant County in all civil cases or proceedings and matters over which District Courts are given jurisdiction by the Constitution and laws of this State.

Sec. 3. The terms of the District Court of the 183rd Judicial District shall be as follows:

On the first Monday in February, May, August and November and may continue in session until the Saturday immediately preceding the Monday for the convening of the next regular term of such Court. Any term of the Court may be divided into as many sessions as the Judge thereof may deem expedient for the disposition of business.

Sec. 4. Immediately on the effective date of this Act, the Governor shall appoint a suitable person having the qualifications provided by the Constitution and laws of this State as Judge of the District Court for the 183rd Judicial District who shall hold office until the next general election and until his successor shall be duly elected and qualified as provided by the Constitution and laws of this State, and he shall receive such compensation as allowed other District Judges under the laws of this State.

Sec. 5. The Judge of the 183rd District Court is authorized to appoint an official shorthand reporter of such

Court who shall have the qualifications now required by law of official shorthand reporters. Such reporter shall perform such duties as are required by law and such duties as may be assigned to him by the Judge of the 183rd District Court and shall receive as compensation for his services the compensation now allowed other official shorthand reporters under the laws of this State.

Sec. 6. The District Clerk of Tarrant County shall also act as District Clerk for the 183rd Judicial District in Tarrant County.

Sec. 7. The Judge of any of the District Courts in Tarrant County may in his discretion try and dispose of any causes, matters or proceedings for any other Judge of said Courts. Either of the Judges of said District Courts of Tarrant County may at his discretion at termtime or in vacation transfer a case or cases to said other District Court with the consent of the Judge of said other District Court by order entered in the minutes of his Court. When such transfer is ordered, the District Clerk of Tarrant County shall certify all orders made in said case and such certified copies of such orders together with the original papers shall be filed among the papers of the case thus transferred and the fees thereof shall be taxed as part of the cost of said suit and the Clerk of said Court shall docket any such case in the Court to which it shall have been transferred, and when so entered, the Court to which the same shall have been thus transferred shall have like jurisdiction therein as in cases originally filed in said Court. All process and writs issued out of the District Court from which any such transfer is made shall be returnable to the Court to which said transfer is made, according to the terms of the District Court or the respective Courts as fixed by this Act.

Sec. 8. The Sheriff of Tarrant County shall attend either in person or by deputy the Court as required by law in Tarrant County or when required by the Judge thereof, and the Sheriffs and Constables of the several counties of this State when executing process out of said Court shall receive fees provided by General Law for executing process out of District Courts.

Sec. 9. All process, writs, bonds, recognizances or other obligations is-

sued out of the District Courts of Tarrant County are hereby made returnable to the terms of the District Courts of Tarrant County as said terms are fixed by law and by this Act, and all bonds executed and recognizances entered in said Court shall bind the parties for their appearance or to fulfill the obligations of such bonds or recognizances at the terms of such Court as fixed by law and by this Act; and all process heretofore returned, as well as all bonds and recognizances heretofore taken in the District Courts of Tarrant County, shall be valid.

#### ARTICLE 5. 300TH JUDICIAL DISTRICT

Section 1. CREATION AND JURISDICTION. (a) The 300th Judicial District is created. Its boundaries are coextensive with the boundaries of Kerr and Bandera Counties.

(b) The 300th District Court has the jurisdiction provided for District Courts by the Constitution and laws of this State. The jurisdiction of the 300th District Court is concurrent with that of the State of Texas.

Sec. 2. TERMS OF COURT. The terms of the 300th District Court begin on the first Monday in January and the first Monday in July of each year. Each term of the Court continues until the next succeeding term convenes.

Sec. 3. JUDGE. (a) As soon as practicable after the effective date of this Act, the Governor shall appoint as Judge of the 300th District Court a person qualified to serve as a District Judge under the Constitution and laws of this State. The Judge appointed holds office until the next general election and until his successor is duly elected and qualified.

(b) The Judge of the 300th District Court is entitled to the same compensation and allowance as provided by the State for other District Judges.

Sec. 4. COURT OFFICIALS. (a) The Judge of the 300th District Court may appoint an official court reporter. The reporter must meet the qualifications prescribed by law for that office and is entitled to the same compensation, fees, and allowances provided by law for the official court reporter of the 49th Judicial District.

(b) The District Attorney of the 2nd 38th Judicial District shall serve as the District Attorney in Kerr and



Bandera counties. The sheriff and clerk of each County comprising the 300th Judicial District shall serve as sheriff and clerk, respectively, of the 300th District Court. They shall perform the duties, and are entitled to the compensation and allowances, prescribed by law for their respective offices.

(c) The Judge of the 300th District Court may appoint an officer for each of the Counties in their respective Districts to act as bailiff or bailiffs for said Court. Each such bailiff or bailiffs appointed shall be paid a salary out of the General Fund of the County of such Court as set by the District Court making such appointment, with the approval of the Commissioners Court of the County of such Court. The bailiff or bailiffs shall perform any and all duties imposed upon bailiffs in this State under the General Laws. In addition thereto, the bailiffs shall perform such duties as are required by the District Judge appointing such officer. The bailiff thus appointed is subject to removal without cause at the will of the appointing Judge. Bailiffs thus appointed shall be duly deputized by the sheriff of such County, in addition to other deputies now authorized by law, upon the request of the District Judge or District Judges.

#### Sec. 5. TRANSFER OF CAUSES.

(a) In any County of the 300th Judicial District where the jurisdiction of the 300th District Court is concurrent with that of another District Court, the Judges of the two District Courts having concurrent jurisdiction may freely transfer causes, civil and criminal, to and from the dockets of their respective Courts. The Judges may also freely exchange benches and courtrooms with each other so that if a Judge is ill, disqualified, or otherwise absent, another Judge may hold Court for him without the necessity of transferring the cause involved.

(b) In any County of the 300th Judicial District where the jurisdiction of the 300th District Court is concurrent with that of another District Court, a Judge of one of the District Courts having such concurrent jurisdiction may hear all or any part of a cause pending in another District Court of that County, and he may rule and enter orders on, continue, determine, or render judgment on all or any part of the cause with-

out the necessity of transferring it to his own docket.

#### ARTICLE 6. MISCELLANEOUS PROVISIONS

Section 1. There is hereby appropriated from the General Revenue Fund for the fiscal year ending August 31, 1968, the following:

(a) Salary of the District Judge of the 149th Judicial District .....	\$ 18,000
(b) Salary of the District Judge of the 182nd Judicial District .....	\$ 18,000
(c) Salary of the District Judge of the 181st Judicial District .....	\$ 18,000
(d) Salary of the District Judge of the 183rd Judicial District .....	\$ 18,000
(e) Salary of the District Judge of the 300th Judicial District .....	\$ 18,000

#### Sec. 2. SEVERABILITY CLAUSE.

If any provision of this Act or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

#### Sec. 3. EMERGENCY CLAUSE.

The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended, and that this Act take effect and be in force from and after September 1, 1967, and it is so enacted.

The Conference Committee Report was read.

Question: Shall the Conference Committee Report on S. B. No. 567 be adopted?

#### Conference Committee on House Bill 428

Senator Herring called from the President's Table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 428 and moved that the request be granted.



The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following as a Conference Committee on the part of the Senate on H. B. No. 428: Senators Herring, Creighton, Reagan, Wade and Word.

#### House Bill 134 on Second Reading

Senator Hightower moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 134 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word

Nays—1

Parkhouse

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 134, A bill to be entitled "An Act to relieve county assessors and collectors of taxes from liability for civil damages to private persons and corporations for acts performed in the exercise of their official functions; providing certain exceptions; and declaring an emergency."

The bill was read the second time and passed to third reading.

On motion of Senator Hightower and by unanimous consent the vote by which H. B. No. 134 was passed to third reading was reconsidered.

Question—Shall H. B. No. 134 be passed to third reading?

#### House Concurrent Resolution on First Reading

The following resolution received from the House was read the first time and referred to the Committee indicated:

H. C. R. No. 110, to the Committee on Counties, Cities and Towns.

#### Report of Standing Committee

Senator Hall by unanimous consent submitted the following report:

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. C. R. No. 110, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.  
WORD  
CHRISTIE

#### Conference Committee Report on House Bill 428

Senator Herring submitted the following Conference Committee Report on House Bill No. 428:

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Hon. Ben Barnes, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 428, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

HERRING  
WORD  
REAGAN  
WADE  
CREIGHTON

On the part of the Senate.  
PEELER  
DICKSON

RAY  
SHANNON  
HAND

On the part of the House.

H. B. No. 428,

A BILL  
To Be Entitled

An Act amending Articles 2135, Revised Civil Statutes of Texas, 1925, as amended, relating to exemption from jury service, and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Article 2135 of the Revised Civil Statutes of Texas, 1925, as last amended by Chapter 232, Acts of the 59th Legislature, Regular Session, 1965, is hereby amended to read as follows:

"Article 2135. Jury Service

"All competent jurors are liable to jury service, except the following persons:

"1. All persons over sixty-five years of age.

"2. All ministers of the gospel engaged in the active discharge of their ministerial duties.

"3. All physicians, dentists, veterinarians, chiropractors, optometrists, and attorneys and spouses of attorneys engaged in actual practice.

"4. All railroad station agents, conductors, engineers and firemen of railroad companies when engaged in the regular and actual discharge of their respective positions.

"5. All members of the National Guard of this State under the provisions of the title 'Militia' during periods of time when they are actually on active duty.

"6. In cities and towns having a population of one thousand or more inhabitants, according to the last preceding United States Census, the active members of organized fire companies, not to exceed twenty to each one thousand of such inhabitants.

"7. All females who have legal custody of a child or children under the age of sixteen years.

"8. All registered, practical and vocational nurses actively engaged in the practice of their profession.

"9. Any practitioner who treats the sick by prayer or spiritual means in accordance with the tenets, teachings or practice of any well-established church or denomination, or a nurse

who cares for the sick who are under treatment by such spiritual means, or a reader whose duty is to conduct regular religious services of such church or denomination.

"10. All licensed morticians who are actively engaged in the practice of their profession.

"11. All registered pharmacists who are actively engaged in the practice of their profession.

"12. Agents and patrolmen engaged in forestry protection work employed by the State Department of Forestry when engaged in the actual discharge of their duties.

"13. The spouse of any person who is summoned to serve on the same jury panel; provided, however, that only one of the spouses, either the husband or the wife, may claim exemption on this ground, and if both the husband or the wife, may claim exemption on this ground, and if both the husband and the wife seek to claim the exemption, the court shall decide which shall be entitled to it.

"14. All school teachers, which shall include public, parochial and private school teachers provided, however, all school teachers shall be liable to jury service during summer months or other extended periods of time when they are not actually teaching."

Section 2. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted

The Conference Committee Report was read and was adopted.

Record of Votes

Senators Blanchard, Christie, and Hardeman asked to be recorded as voting "Nay" on the adoption of the Conference Committee Report.

House Concurrent Resolution 110  
Ordered Not Printed

On motion of Senator Christie and by unanimous consent H. C. R. No. 110 was ordered not printed.

### House Concurrent Resolution 110 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 110, Granting Tilford Edwards, et al., permission to sue the State of Texas.

The resolution was read.

On motion of Senator Christie, and by unanimous consent, the resolution was considered immediately and was adopted.

### Leave of Absence

Senator Bates was granted leave of absence for the remainder of today on account of important business on motion of Senator Hardeman.

### Senate Resolution 773

Senator Aikin offered the following resolution:

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: At a caucus held on May 29, 1967, and attended by 28 members of the Senate, the following recommendations were made, to-wit:

### BE IT RESOLVED BY THE SENATE,

That the following named employees be retained for a number of days at the per diem salary specified in each case to perform such duties as may be required of them in connection with the business of the State, viz:

The Secretary of the Senate shall be retained during the interval between adjournment of this session and the convening of the next session of the Legislature, for which services he shall receive \$1250 per month, and in addition thereto he and the Lieutenant Governor shall be furnished postage, telegraph, telephone, express and all other expenses incident to the office.

The Assistant Secretary of the Senate shall be employed by the Secretary of the Senate and shall be retained during the interval between adjournment of this session and the convening of the next session of the Legislature with a salary of \$22 per day, and one assistant secretary at \$20 per day.

The Lieutenant Governor may employ such employees as are necessary for the operation of his office from the closing of this session and until the convening of the next session, and shall employ some suitable person who shall index and annotate the Legislative Manual for the Senate of the Sixtieth Legislature and provide sufficient copies thereof to be paid for out of the Contingent Expense Fund for the use of the Members of the Senate.

The Warrant Clerk shall be retained for a period of 30 days at a salary of \$20 per day.

The Calendar Clerk shall be retained for a period of 30 days at a salary of \$22 per day and the Assistant Calendar Clerk for a period of 30 days at a salary of \$18 per day.

The Journal Clerk shall be retained for a period of 360 days at \$22 per day, and the Assistant Journal Clerk shall be retained for 360 days at \$18 per day.

The Sergeant-at-Arms, Jeff Davis, shall be retained for the ad-interim at a salary of \$700 per month, and one assistant, Mrs. Martha Montague, for the ad-interim at a salary of \$20 per day, and 2 assistants for 14 days at \$12 per day, and one assistant for 14 days at \$13 per day.

The Lieutenant Governor may employ or retain at \$10 per day as many porters as may be necessary, and a head porter at \$15 per day.

The Enrolling and Engrossing Clerk shall be retained 30 days at \$25 per day, and 3 assistants to assist her shall be retained for 25 days at \$14 per day, and 1 assistant for 30 days at \$19 per day, and 2 for 30 days at \$14 per day.

The private secretary of each Senator may be retained for 14 days at \$18 per day to perform such duties as may be required of them.

The Mailing Clerk of the Senate shall be retained for 30 days at \$22 per day and 1 assistant for 30 days at \$18 per day, and 3 assistants for 13 days at \$14 per day and 1 assistant at \$14 per day for 15 days.

The Post Mistress shall be retained for a period of 10 days at a salary of \$16 per day.

The Chairman of the Senate Committee on Contingent Expense is hereby authorized and directed to cause the Senate Chamber to be placed in order and an inventory made of all furniture and fixtures in the Senate Chamber and in the

private offices of the Members, as well as of the supplies and equipment on hand in the room of the Sergeant-at-Arms, and close his books for the Regular Session of the Sixtieth Legislature. He shall also examine records and accounts payable out of the Contingent Expense Fund as shall be necessary, properly to approve all claims and accounts against the Senate, and no claim or account shall be paid without his consent and approval, and he and any member of the Contingent Expense Committee shall be entitled to receive his actual and necessary expenses incurred during the interim.

The Lieutenant Governor shall appoint a Custodian of the Senate to perform such services as the Lieutenant Governor or the Secretary of the Senate may direct and the Custodian to receive the sum of \$14 per day.

Resolved, That there shall be printed 325 volumes of the Senate Journal of the Regular Session of the Sixtieth Legislature and when completed, 250 copies shall be bound in buckram and delivered to the Secretary of the Senate and one volume thus bound shall be forwarded by the Secretary of the Senate to each member of the Senate and House of Representatives, to the Lieutenant Governor, and 75 paper bound copies shall be furnished to the State Library. Such journal may, in the alternate, be included with the prior journals for the Sixtieth Legislature. The printing of such journals shall be done in accordance with the provisions of this resolution under the supervision of the Chairman of the Committee on Contingent Expense; provided, further, that it shall be the duty of said Chairman to refuse to receive or receipt for said Senate Journals until corrected and published in accordance with the pre-existing law as finally approved by the Chairman of the Committee on Contingent Expense of the Senate. When the accounts have been certified to by the Chairman of the Committee on Contingent Expense of the Senate, said accounts shall be paid out of the Contingent Expense Fund of the Sixtieth Legislature; and be it further

Resolved, That all salaries herein authorized to be incurred and paid for shall be paid out of the per diem and contingent expense fund of the Sixtieth Legislature upon warrants

signed by the Lieutenant Governor and the Secretary of the Senate. All warrants for the payment of materials, supplies and expenses of the Senate shall be paid upon warrants signed by the Lieutenant Governor and Chairman of the Senate Committee on Contingent Expense; and be it further

Resolved, That in furtherance of the Legislative duties and responsibilities of the Senate the Contingent Expense Committee is hereby authorized and directed to pay for salaries, stamps, telephone service, office rent, office equipment and supplies, actual expenses of members for travel incurred while transacting Senate business, and other reasonable and necessary expenses for the use of the Members of the Senate during any period the Legislature is not in Session. Expenditures for these services hereby authorized as an expense of the Senate shall not be restricted to Austin, but may be incurred and reimbursed with Contingent funds of the Senate to the individual Senatorial Districts. Such expenses shall be paid from S. B. No. 15, S. B. No. 628 and H. B. No. 1, all enacted by the Regular Session of the Sixtieth Legislature, and H. B. No. 12 enacted by the Fifty-ninth Regular Session, or any other funds appropriated for the use of the Senate on vouchers approved by the Chairman of the Contingent Expense Committee and the Lieutenant Governor in accordance with regulations governing such expenditures; and be it further

Resolved, That payment for expenses for supplies and equipment, telephone, salaries, stamps, office rent or any other reasonable and necessary expenses including actual expenses of Members for travel incurred while transacting Senate business for any Member of the Senate during any calendar month should not be in excess of \$1,000. In no instance, however, shall the interim expense exceed the monthly amount times the number of months or parts thereof comprising the interim. The Sergeant-at-Arms and the Secretary of the Senate are instructed not to prepare for payment any expense in excess of such amount.

The total amount of expenses of any kind allowable hereunder for any member shall not be cumulative; and, be it further

Resolved, That the cash balance on hand under the provisions of S. R.

No. 15 of the Forty-seventh Legislature be turned over to the Secretary of the Senate and he is directed to have full charge of the vending machines and to expend receipts thereof as now authorized by said Resolution; and, be it further

Resolved, That a matron be retained for the women's rest room at a salary of \$10 per day; and, be it further

Resolved, That the Lieutenant Governor and the Chairman of the Senate Committee on Contingent Expense shall have authority to employ such additional personnel as may from time to time be required and to purchase such supplies and to make all such repairs and improvements as are necessary between the adjournment of this session and the convening of the next session of the Legislature; and, be it further

Resolved, That the Chairman of the Finance Committee shall have authority to employ such additional employees of his own selection as may be needed by said committee, said employees to receive the same compensation paid similar positions as herein fixed, who shall discharge the duties of the Finance Committee; and, be it further

Resolved, That the Lieutenant Governor shall have the authority to appoint the Secretary of the Senate or any member to attend National Legislative Conferences and other similar meetings. Necessary and actual expenses are hereby authorized upon the approval of the Chairman of the Contingent Expense Committee; and, be it further

Resolved, That with the approval of the Lieutenant Governor and the Chairman of the Committee on Contingent Expense, the actual expenses of Members serving on interim committees whose expenses are not otherwise provided for shall be reimbursed from the Contingent Expense Fund; and, be it further

Resolved, That the Lieutenant Governor is authorized to appoint Rev. W. H. Townsend, Senate Chaplain, during the ad-interim as an Assistant to work under the direction of the Lieutenant Governor and the Chairman of the Contingent Expense Committee at a salary of \$14 per day.

The Sergeant-at-Arms is specifically directed not to permit the removal of any of the property of the

Senate from the Senate Chamber or the rooms of the Senate.

Respectfully submitted,

AIKIN,  
Chairman of the Caucus.

HAZLEWOOD,  
Secretary of the Caucus.

The resolution was read and was adopted by the following vote:

#### Yeas—17

Bernal	Kennard
Berry	Mauzy
Brooks	Patman
Christie	Reagan
Cole	Schwartz
Connally	Wade
Creighton	Watson
Harrington	Wilson
Herring	

#### Nays—11

Aikin	Jordan
Blanchard	Parkhouse
Grover	Ratliff
Hall	Strong
Hardeman	Word
Hightower	

#### Absent

Hazlewood	Moore
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#### Absent—Excused

Bates

#### Reason for Vote

I voted against the adoption of the Caucus Report because I think the amount of \$1,000.00 per month for expenses of individual Senators during the ensuing interim is unconscionable and unreasonable, as well as of doubtful constitutionality, especially as it purports to include travel expenses.

HARDEMAN

#### Reason for Vote

I think that this amount of expense money voted by the Senate Caucus is totally unnecessary and is an indictment of the legislative abuse under one party domination. I have been against it from the start and those Senators voting for it show a disregard for the public treasury.

GROVER

**Election of President Pro Tempore  
Ad Interim for the Regular Ses-  
sion of the Sixtieth  
Legislature**

The President announced the election of the President Pro Tempore Ad Interim as the next order of business.

Senator Word nominated Senator Ralph Hall of Rockwall as President Pro Tempore Ad Interim of the Regular Session of the Sixtieth Legislature.

Senators Aikin, Herring, Creighton, Schwartz, Connally, Hightower, Blanchard, Wade, Patman, Reagan, Hardeman, Strong, Watson, Harrington, Bernal, Christie, Kennard and Berry seconded the nomination of Senator Hall as President Pro Tempore Ad Interim of the Regular Session of the Sixtieth Legislature.

There being no further nominations, the President appointed Senators Hardeman, Herring, and Aikin as tellers to take up and count the ballots.

The ballots were taken up and counted and the President announced that Senator Hall had received 29 votes with one present and not voting for President Pro Tempore Ad Interim of the Regular Session of the Sixtieth Legislature and declared him duly elected.

Senators Word, Aikin, Herring, Creighton and Schwartz were appointed to escort Senator Hall and his family to the President's Rostrum. The President administered the Constitutional Oath of Office as President Pro Tempore Ad Interim of the Regular Session of the Sixtieth Legislature to Senator Hall.

The President then presented Senator Hall to the Senate as their President Pro Tempore Ad Interim.

President Pro Tempore Ad Interim Hall addressed the Senate, stating that taking the oath was a sacred obligation to him and thanked the Members for himself and the members of his family and expressed appreciation from the bottom of his heart for the honor bestowed upon him. Senator Hall further stated that the pleasant memories of the Session would remain with him and the as-

sociation would be a highlight of his life.

President Pro Tempore Hall then presented the members of his family present on the Rostrum—his wonderful wife, his two sons J. Blakeley Hall and Bret Hall, and expressed regrets that his son Ralph Hampton could not be present.

Senator Hall expressed appreciation for his staff and everyone who had helped in assisting him to attain the office of President Pro Tempore Ad Interim.

**Senate Resolution 774**

Senator Wilson offered the following resolution:

Whereas, Some men make an imprint on the minds of their fellows by a particular act of distinction; some are remembered for their fellowship and, perhaps, a personality that singles them out from the common herd; some stand out in a crowd because of leadership, distinctive appearance, or ideals and principles which give them stature; but George Parkhouse, venerable member of the Senate of Texas, has all of these attributes—and more, too; and

Whereas, This unusual and distinguished Senator from Dallas has acquired more friends and more friendly enemies than any man who has ever served in the Senate of Texas; he has, through the long years of his service, achieved more for his beloved Dallas than would seem humanly possible; and

Whereas, Elected to the Texas House of Representatives in 1932, Senator Parkhouse served one term at that time and waited another 10 years before he returned to service in the Texas Legislature; he was again elected to the House in 1942 and moved over to the Senate to serve his first session in the upper House in 1951, with the 52nd Legislature; and

Whereas, Fellow members, the "Third House," and constituents know him as a real fighter who sticks with a cause; during his long tenure he has been the proponent, author, and coauthor of nearly all the progressive water legislation which has been enacted; included in the other outstanding legislation which he spon-

sored and supported have been the famous Texas "Right to Work Law"; insurance legislation, improvements in the laws relating to mentally retarded and blind children; and

Whereas, He has also worked diligently for improvements in public school education in Texas, and was one of the major supporters of the original Gilmer-Aikin program; he also pushed the measure which established the State Employees Retirement System; and

Whereas, With all his dedication to measures of statewide significance, he never once relaxed his diligence in the interest of Dallas and his constituents: he deserves full credit for the creation of Southwestern Medical School; in his water legislation, he always made sure that Dallas received a fair share, and more, of the State's water supply; and

Whereas, Many times when various and sundry said of a particularly sticky problem that "It couldn't be done," George Parkhouse did it; this trait he evidenced in his own behalf last summer when the Republicans launched an all-out effort to put a member of that Party in his seat, and those "in the know" said that Parkhouse couldn't make it—"but he did it!"; and

Whereas, This unusual "Man of Distinction" takes great pride in a gruff and cantankerous manner, which fools no one for very long or, if it does, still doesn't detract from the love and affection which he receives from all who know him—even when his bark is the loudest, his bite the sharpest; and

Whereas, The Senate won't be the same without "our George," who says he is definitely retiring at the end of his present term, and his colleagues in the Senate of the State of Texas wish to honor him and demonstrate their great respect for him and his devoted service to the people of Dallas and to all of Texas; now, therefore, be it

Resolved, That the Senate of the State of Texas, by this Resolution, convey its thanks and extend its very best wishes to Senator George Parkhouse, although his colleagues look upon his decision to retire from the Senate with deep sadness and a great sense of loss; and, be it further

Resolved, That, as he returns to his home and private life, the Senate ex-

press deep gratitude for the understanding of his family—his lovely wife, Dora, whom we all know, admire and love; his sons, Jerry and Jack Parkhouse; and the grandchildren, Carolynne, Cathy, Cindy, and Michael—in sharing him and his time so generously with Members of the Senate and in the service of his State; and, be it further

Resolved, That the Senate regrets his decision to retire and is most reluctant to let him go, but hereby extends a standing invitation for him to return to Austin and this Chamber and visit us just as frequently as he has the desire and his family and business interest will permit, and that copies of this Resolution, under the Seal of the Senate, be prepared and furnished our esteemed colleague.

WILSON  
HARDEMAN  
REAGAN  
CREIGHTON

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Grover, Hall, Harrington, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, Moore, Patman, Ratliff, Schwartz, Strong, Wade, Watson, Word.

The resolution was read.

On motion of Senator Herring and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted.

The Members of the Senate gave Senator Parkhouse a standing ovation.

#### Presentation of Guest

The President recognized Senator Aikin and he presented young Robert Aikin, his grandson, who had been named a Mascot of the Senate, to the Members of the Senate.

#### House Bill 134 on Second Reading

The Senate resumed consideration of pending business, same being H. B. No. 134 on its second reading and passage to third reading (the bill having been read second time today).

Question—Shall H. B. No. 134 be passed to third reading?

The bill was passed to third reading.

#### House Bill 134 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 134 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

#### Conference Committee Report on Senate Bill 261

Senator Cole submitted the Conference Committee Report on S. B. No. 261:

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Hon. Ben Barnes, Speaker of The House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 261, have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

COLE  
MOORE  
WATSON  
BROOKS  
JORDAN

On the part of the Senate.

OGG  
HAINES of Brazos  
SALTER  
THOMAS  
MOORE

On the part of the House.

S. B. No. 261,

#### A BILL To Be Entitled

An Act relating to creation of the Fourteenth Supreme Judicial District, with the court to be held in Houston; amending Articles 198 and 1817, Revised Civil Statutes of Texas, 1925, as amended, and Section 2, Chapter 421, Acts of the 55th Legislature, Regular Session,

1957 (Article 1817a, Vernon's Texas Civil Statutes); also adding Brazos County to the First Judicial District; making an appropriation; and declaring an emergency.

#### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Article 198, Revised Civil Statutes of Texas, 1925, as last amended by Section 1, Chapter 357, Acts of the 58th Legislature, 1963, is amended to read as follows:

"Article 198. Supreme Judicial Districts

"This state shall be divided into fourteen (14) Supreme Judicial Districts, composed of the following named counties for the purpose of constituting and organizing a Court of Civil Appeals in each of the several Supreme Judicial Districts, as follows, to wit:

"First: Trinity, Walker, Grimes, Burleson, Washington, Waller, Harris, Chambers, Austin, Brazoria, Fort Bend, Galveston, Colorado and Brazos.

"Second: Wichita, Clay, Montague, Wise, Tarrant, Cooke, Denton, Parker, Archer, Young, Jack and Hood.

"Third: Milam, Lee, Bastrop, Caldwell, Hays, Travis, Williamson, Bell, Burnet, Blanco, Llano, San Saba, Lampasas, Mills, McCulloch, Runnels, Tom Green, Concho, Comal, Fayette, Coke, Sterling, Irion and Schleicher.

"Fourth: Jim Wells, Val Verde, Guadalupe, Sutton, Edwards, Kinney, Maverick, Menard, Kimble, Kerr, Bandera, Uvalde, Zavala, Dimmit, Webb, La Salle, Frio, Medina, Duval, McMullen, Atascosa, Bexar, Kendall, Wilson, Zapata, Karnes, Starr, Jim Hogg, Real, Brooks, Gillespie and Mason.

"Fifth: Grayson, Collin, Dallas, Rockwall, Hunt, Kaufman and Van Zandt.

"Sixth: Fannin, Lamar, Red River, Bowie, Delta, Hopkins, Franklin, Titus, Morris, Cass, Marion, Harrison, Gregg, Camp, Hunt, Wood, Upshur, Rusk and Panola.

"Seventh: Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Parmer, Castro, Swisher, Briscoe, Hall, Childress, Bailey, Lamb, Hale, Floyd,



Motley, Cottle, Foard, Hardeman, Wilbarger, Crosby, Lubbock, Hockley, Cochran, Yoakum, Terry, Lynn, Garza, Dickens, Kent and King.

"Eighth: Crockett, Gaines, Andrews, Martin, Loving, Winkler, Midland, Glasscock, Reeves, Ward, Crane, Upton, Reagan, Terrell, Pecos, Brewster, Presidio, Jeff Davis, El Paso, Ector, Culberson and Hudspeth.

"Ninth: San Jacinto, Montgomery, Liberty, Jefferson, Orange, Hardin, Newton, Jasper, Tyler, Polk and Angelina.

"Tenth: McLennan, Coryell, Hamilton, Bosque, Johnson, Somervell, Falls, Limestone, Hill, Brazos, Madison, Robertson, Ellis, Leon, Freestone and Navarro.

"Eleventh: Dawson, Howard, Mitchell, Scurry, Nolan, Fisher, Stonewall, Taylor, Jones, Haskell, Knox, Callahan, Shackelford, Throckmorton, Baylor, Coleman, Brown, Comanche, Eastland, Stephens, Erath, Palo Pinto and Borden.

"Twelfth: Kaufman, Van Zandt, Rains, Hopkins, Wood, Upshur, Smith, Henderson, Anderson, Houston, Cherokee, Rusk, Nacogdoches, San Augustine, Sabine, Shelby, Panola and Gregg.

"Thirteenth: Lavaca, Wharton, Gonzales, De Witt, Jackson, Matagorda, Victoria, Goliad, Calhoun, Bee, Refugio, Aransas, San Patricio, Nueces, Kleberg, Kenedy, Willacy, Hidalgo, Cameron and Live Oak.

"Fourteenth: Trinity, Walker, Grimes, Burleson, Washington, Waller, Harris, Chambers, Austin, Brazoria, Fort Bend, Galveston, Colorado and Brazos."

Sec. 2. Article 1817, Revised Civil Statutes of Texas, 1925, as last amended by Section 2, Chapter 198, Acts of the 58th Legislature, 1963, is amended to read as follows:

"Article 1817. Location of Courts

"A Court of Civil Appeals shall be held at the following places, respectively:

"1. In the First Supreme Judicial District, in the city of Houston;

"2. In the Second Supreme Judicial District, in the city of Fort Worth;

"3. In the Third Supreme Judicial District in the city of Austin;

"4. In the Fourth Supreme Judicial District, in the city of San Antonio;

"5. In the Fifth Supreme Judicial District, in the City of Dallas;

"6. In the Sixth Supreme Judicial District, in the city of Texarkana;

"7. In the Seventh Supreme Judicial District, in the city of Amarillo;

"8. In the Eighth Supreme Judicial District, in the city of El Paso;

"9. In the Ninth Supreme Judicial District, in the city of Beaumont;

"10. In the Tenth Supreme Judicial District, in the city of Waco;

"11. In the Eleventh Supreme Judicial District, in the city of Eastland;

"12. In the Twelfth Supreme Judicial District, in the city of Tyler;

"13. In the Thirteenth Supreme Judicial District, in the city of Corpus Christi; and

"14. In the Fourteenth Supreme Judicial District, in the city of Houston.

"The cities of Beaumont, Waco, and Eastland, respectively, shall furnish and equip suitable rooms for the respective Courts of Civil Appeals therein, and the justices thereof, and the County of Harris shall furnish and equip suitable rooms in Houston for the Courts of Civil Appeals for the First and Fourteenth Supreme Judicial Districts, and for the justices thereof, all without cost or expense to the state. The city of Tyler and Smith County and the city of Corpus Christi and Nueces County, respectively, shall furnish and equip suitable rooms and a library for the respective Courts of Civil Appeals located therein, and for the justices thereof, all without cost or expense to the state."

Sec. 3. Section 2, Chapter 421, Acts of the 55th Legislature, 1957 (Article 1817a, Vernon's Texas Civil Statutes), is amended to read as follows:

"Article 1817a. FIRST AND FOURTEENTH JUDICIAL DISTRICTS, PLACES WHERE BUSINESS TRANSACTED: DOCKETS EQUALIZED

"From and after the passage of this Act, the Courts of Civil Appeals for the First and the Fourteenth Supreme Judicial Districts may transact their business either at the city of Galveston or the city of Houston, as the court shall determine it necessary and convenient; providing, that all cases originating in Galveston County may be heard and tried in such county. Subject to the provisions of Article 1738, Revised Civil Statutes of Texas, 1925, as amended, the clerks of the

First and the Fourteenth Supreme Judicial Districts shall also from time to time equalize by lot or chance the dockets of the two courts."

Sec. 4. (a) On or before the 10th day after this Act takes effect, the Governor shall, by and with the consent of the Senate if in session, appoint one chief and two associate justices for the Fourteenth Supreme Judicial District.

(b) To be eligible for appointment to the court, a person must possess the qualifications prescribed by Article 1814, Revised Civil Statutes of Texas, 1925.

(c) The justices appointed hold their offices until the next general election at which justices shall be elected and qualify in accordance with Article 1813, Revised Civil Statutes of Texas, 1925, as amended.

Sec. 5. The following sums or as much of them as may be necessary for the objectives and purposes shown are appropriated from the General Revenue Fund for the expenses of the Fourteenth Supreme Judicial District for the fiscal year ending August 31, 1968.

Fourteenth District, Houston	
Personal Services—	
1. Judges, 3 at \$24,000	\$72,000
2. Clerk	10,000
3. Deputy Clerk	5,616
4. Stenographer III	5,616
Subtotal, Personal Services	\$93,232
5. Consumable supplies and materials, current and recurring operating expenses (excluding travel expense), and capital outlay	3,400
Total, Fourteenth District, Houston	<u>\$96,632</u>

Sec. 6. This Act takes effect on September 1, 1967.

Sec. 7. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted.

#### Conference Committee Report on Senate Bill 17

Senator Hazlewood submitted the following Conference Committee Report on S. B. No. 17:

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Hon. Ben Barnes, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 17 have met and had same under consideration and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

HAZLEWOOD  
KENNARD  
CREIGHTON  
WATSON  
SCHWARTZ

On the part of the Senate.

FINNEY  
NUGENT  
SHANNON  
HAND  
MUSGROVE

On the part of the House.

S. B. No. 17,

#### A BILL To Be Entitled

An Act to include lysergic acid diethylamide and other hallucinogens in the list defining "dangerous drugs," and specifying its possession to be an unlawful act; providing that the illegal sale or furnishing of any dangerous drug is unlawful; amending Subsection (a) of Section 2, Subsection (d) of Section 3 and Section 15, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended (Article 726d, Vernon's Texas Penal Code); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Subsection (a) of Section 2, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended by Section 1, Chapter 466,

Acts of the 59th Legislature, Regular Session, 1965 (Article 726d, Vernon's Texas Penal Code), is amended to read as follows:

"(a) The term 'dangerous drug' means any drug unsafe for self-medication, except preparations of drugs defined in Subdivisions (a) (6), (a) (7), (a) (9), and (a) (10) hereof, designed for the purpose of feeding or treating animals (other than man) or poultry, and so labeled, and includes the following:

"(1) Any barbiturate or other hypnotic drug. 'Barbiturate' includes malonylurea derivatives and barbituric acid derivatives. 'Other hypnotic drug' includes chloral, paraldehyde, sulfonmethane derivatives, or any other compounds or mixtures or preparations that may be used for producing hypnotic effects.

"(2) Amphetamine, desoxyephedrine, or compounds, or mixtures thereof, except preparations for use in the nose and unfit for internal use.

"(3) Hallucinogens, including lysergic acid diethylamide, LSD-25, LSD, dimethyltryptamine, psilocybin, bufotenine, peyote, mescaline, and their salts and derivatives, or any compounds, mixtures or preparations which are chemically identical with such substances; provided, however, that the provisions of this subdivision shall not apply to unharvested peyote growing in its natural state.

"(4) Aminopyrine, or compounds or mixtures thereof.

"(5) Cantharidin or a compound related structurally to cantharidin; or cinchophen, neocinchophen, or compounds or mixtures thereof.

"(6) Diethylstilbestrol, or compounds or mixtures thereof.

"(7) Ergot, cotton root, or their contained or derived active compounds or mixtures thereof.

"(8) Oils of croton, rue, savin or tansy or their contained or derived compounds or mixtures thereof.

"(9) Sulfanilamide or substituted sulfanilamides, or compounds or mixtures thereof, except preparations for topical application only containing not more than five percent (5%) strength.

"(10) Thyroid and its contained or derived active compounds or mixtures thereof.

"(11) Phenylhydantoin derivatives.

"(12) Thallium or any compound thereof.

"(13) Any drug which bears the

legend: 'Caution: federal law prohibits dispensing without prescription.'

"(14) Barbiturates or hypnotic drugs when combined and compounded with non-barbiturates or non-hypnotic drugs.

"Provided, however, that preparations which contain certain other drugs not covered by the provisions of this Act, other than those dangerous drugs specified in Section 2(a) (2) through (13) inclusive, in sufficient proportions to confer upon the preparation qualities other than those possessed by the dangerous drugs alone are exempt from the provisions of this Act."

Sec. 2. Subsection (d) of Section 3, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959 (Article 726d, Vernon's Texas Penal Code), is amended to read as follows:

"(d) The possession of a barbiturate or hypnotic drug, as well as those drugs set forth in Section 2(a) (2) and (3) hereof, by any person unless such person obtained the drug under the specific provision of Section 3(a) (1) and (2) of this Act and possesses the drug in the container in which it was delivered to him by the pharmacist or practitioner selling or dispensing the same; and any other possession of a barbiturate or hypnotic drug, as well as those drugs set forth in Section 2(a) (2) and (3) hereof, shall be prima facie evidence of illegal possession."

Sec. 3. Section 15, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959 (Article 726d, Vernon's Texas Penal Code) is amended to read hereafter as follows:

"Section 15. (a) Any person, firm or corporation possessing in violation of Section 3 of this Act any dangerous drug defined in Subdivisions 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12 or 13 of Section 2(a) of this Act shall be fined an amount not to exceed Three Thousand Dollars (\$3,000) or confined in jail for a period of not less than thirty (30) days nor more than two (2) years, or by both such fine and imprisonment. For any second or subsequent violation, any person shall be confined in the penitentiary not less than two (2) years nor more than ten (10) years.

(b) Any person, firm or corporation possessing in violation of Section 3 of this Act any dangerous drug defined

in Subdivision 3 of Section 2(a) of this Act shall be fined an amount not to exceed Three Thousand Dollars (\$3,000) or confined in jail for a period of not less than thirty (30) days nor more than one (1) year, or by both such fine and imprisonment.

(c) Any person who sells, delivers or manufactures any dangerous drug defined in Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 or 13 of Section 2(a) in violation of this Act, shall be guilty of a felony and upon conviction is punishable by confinement in the penitentiary for not less than two (2) nor more than ten (10) years."

Sec. 4. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted.

#### Senate Resolution 776

Senator Strong offered the following resolution:

Whereas, The State of Texas has been blessed for many years with the finest Highway Department of any State in the United States; and

Whereas, The unmatched accomplishments of this Department are the result of a large group of extremely dedicated, hard-working and conscientious employees; and

Whereas, The salaries of the hourly employees of the Highway Department are fixed by the Highway Commissioners and through their permission by the district engineers of the various Highway districts; and

Whereas, It is the concerted wisdom of the Senate of Texas that the lowest paid employees of the Texas Highway Department should make not less than the \$1.60 per hour which is the federal minimum wage; now therefore be it

Resolved by the Senate of the State of Texas, That it request the Highway Department of Texas to establish a pay scale of not less than \$1.60 per hour for the lowest paid of its hourly workers and that the wages of the

other hourly workers shall be increased to correspond with such base wage.

**STRONG  
AIKIN**

The resolution was read and was adopted.

#### House Concurrent Resolution 117 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 117, Creating the Oyster and Shellfish Committee.

The resolution was read.

On motion of Senator Schwartz, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Presentation of Governor Connally

The President recognized Senator Aikin, and he noted the presence in the Senate of The Honorable John Connally, Governor of the State of Texas, and requested that he be asked to address the Senate.

The President presented Governor Connally to the Senate.

Governor Connally addressed the Senate, thanking the Members for the opportunity of addressing a few remarks to the Senate.

At the conclusion of the address, Governor Connally was given a standing ovation by the Members of the Senate.

#### Senate Bill 552 With House Amendment

Senator Blanchard called S. B. No. 552 from the President's Table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

#### Committee Amendment 1

Amend S. B. No. 552 in the following respects:

a. Delete the word and figure "fifty (50)" appearing on line 43 of page 1 of the printed bill and substitute therefor the words and figures "one hundred (100)".

b. Delete lines 28 and 29 of page 2 of the printed bill and substitute therefor the following: "If the proposition to create the Martin County Hospital District fails to carry at the election, no other election for the same purpose may be held within one year after the result of the election is announced officially."

c. Add, after the word "condemnation" and before the semi-colon appearing on line 1 of page 4 of the printed bill the following: "by counties."

d. Delete the word "guardians" appearing on line 21 of page 7 of the printed bill.

The House amendment was read.

Senator Blanchard moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hall	Strong
Hardeman	Wade
Harrington	Watson
Hazlewood	Wilson
Herring	Word

Absent—Excused

Bates

Recess

On motion of Senator Aikin the Senate at 5:58 o'clock p.m. took recess until 8:30 o'clock p.m. today.

After Recess

The President called the Senate to order at 8:30 o'clock p.m. today.

Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled resolutions:

S. C. R. No. 47, Granting J. C. Evans and George Evans permission to sue the State.

S. C. R. No. 19, Granting Walter G. Schwarz permission to sue the State.

S. C. R. No. 92, Relating to the importation and control of textile products.

S. C. R. No. 94, Requesting House of Representatives to return H. B. No. 363 for further consideration.

S. C. R. No. 95, Commending the Texas Legislative Service.

S. C. R. No. 29, Granting Willard Barnett, Jr., permission to sue the State of Texas.

At Ease

On motion of Senator Aikin, and by unanimous consent, the Senate agreed to Stand at Ease from 8:45 o'clock p.m. until 9:25 o'clock p.m.

In Legislative Session

The President called the Senate to order as In Legislative Session at 9:25 o'clock p.m.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

H. C. R. No. 154, Granting McCarty-Connally Company permission to sue The University of Texas.

H. C. R. No. 145, Requesting the Coordinating Board, Texas College and University System to make a study of the doctoral degree needs of the East Texas area.

H. C. R. No. 143, Creating joint Interim Highway Safety Study Committee.

H. C. R. No. 140, Granting George Truett Wilson permission to sue the State.

H. C. R. No. 129, Creating a special interim committee.

H. C. R. No. 114, Granting permission to Leonard Milstead to sue the State.

H. C. R. No. 110, Granting Tilford Edwards, et al., permission to sue the State.

H. C. R. No. 164, Directing the Engrossing and Enrolling Clerk of the Senate to make certain corrections in S. B. No. 28 and S. B. No. 29.

H. C. R. No. 118, Granting permission to A. T. Wainscott and wife, Nancy Wainscott, to sue the State of Texas and the Texas Highway Department.

H. C. R. No. 159, Requesting permission to sue the State of Texas.

H. C. R. No. 169, Authorizing Engrossing and Enrolling Clerk to correct a House amendment to S. B. No. 174.

H. C. R. No. 167, Urging the executive and legislative branches of the United States Government to recognize the immediate urgency of the textile imports situation.

H. B. No. 966, A bill to be entitled "An Act relating to burial associations incorporated before 1905, etc., and declaring an emergency."

H. B. No. 266, A bill to be entitled "An Act providing for the establishment of family district courts in Dallas and Harris Counties, etc., and declaring an emergency."

H. B. No. 1217, A bill to be entitled "An Act extending workmen's compensation insurance to employees of certain drainage districts, etc., and declaring an emergency."

H. B. No. 1190, A bill to be entitled "An Act relating to workmen's compensation and other coverage for employees of highway subcontractors, etc., and declaring an emergency."

H. B. No. 1074, A bill to be entitled "An Act relating to examination and confinement of dangerous alcoholics, etc., and declaring an emergency."

H. B. No. 1020, A bill to be entitled "An Act relating to creation of three semester and quarterly semester school pilot programs, etc., and declaring an emergency."

H. J. R. No. 3, Proposing an amendment to Section 9, Article VIII, Constitution of the State of Texas,

to provide that counties of over 500,000 population may put all county taxes, except the additional road maintenance tax, into one general fund, without regard to the source or purpose of each tax.

H. J. R. No. 27, Proposing an amendment to Section 33, Article XVI, Constitution of the State of Texas, to allow State officers and employees to hold, under given conditions, other offices and positions under this State or the United States.

H. B. No. 570, A bill to be entitled "An Act relating to qualifications for retirement of judges, and retirement, disability, and other benefits payable to judges or their beneficiaries; amending Section 2, Chapter 99, Acts of the 51st Legislature, Regular Session, 1949, as amended (Section 2, Article 6228b, Vernon's Texas Civil Statutes); providing an effective date; providing a severability clause; and declaring an emergency."

H. B. No. 486, A bill to be entitled "An Act establishing the Mountain Creek Lake State Park and providing for its development, operation, and maintenance; providing for acquisition of land and interests in land; making an appropriation; and declaring an emergency."

H. B. No. 166, A bill to be entitled "An Act defining certain words and terms as used herein; requiring that school districts of this State, as herein defined, employ teachers by probationary contract or by continuing contract as herein defined, etc., and declaring an emergency."

H. B. No. 901, A bill to be entitled "An Act concerning the designation of trustee to receive proceeds of life insurance policies; adding a new Article 3.49-3 to the Texas Insurance Code; providing for a saving clause; providing for a severability clause; providing for an effective date; and declaring an emergency."

H. B. No. 867, A bill to be entitled "An Act relating to the certification and regulation of shorthand reporters; providing penalties for violation; amending Article 2321, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

H. B. No. 794, A bill to be entitled "An Act to provide that any person

certified to teach in the public schools of Texas who holds a bachelor of laws degree shall have his minimum salary calculated on the basis of a master's degree; and declaring an emergency."

H. B. No. 1117, A bill to be entitled "An Act relating to employment of an executive secretary by the State Board of Examiners in the Basic Sciences; providing for his compensation, expenses, bond, term and duties; amending Chapter 95, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 4590c, Vernon's Texas Civil Statutes, by adding Section 4a, and declaring an emergency."

H. B. No. 1064, A bill to be entitled "An Act prohibiting the use of certain shrimp trawls in the shrimp nursery grounds of Harris, Chambers and Galveston Counties; providing a penalty; and declaring an emergency."

#### House Concurrent Resolution 171 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 171, Authorizing the Engrossing and Enrolling Clerk to make certain corrections in H. B. No. 428.

The resolution was read.

By unanimous consent, the resolution was considered immediately and was adopted.

#### At Ease

On motion of Senator Aikin, and by unanimous consent, the Senate, at 9:35 o'clock p.m. agreed to stand At Ease until 10:00 o'clock p.m. today.

#### In Legislative Session

The President called the Senate to order as In Legislative Session at 10:00 o'clock p.m. today.

#### Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills:

S. B. No. 174, A bill to be entitled "An Act to amend Chapter Three of the Insurance Code (Acts 1951, 52nd Legislature, Chapter 491, as amended) by adding thereto a new Article to be designated Art. 3.40-1; providing that notwithstanding the provisions of Art. 3.40 of such Code any domestic life insurance company may invest any of its funds in income producing real estate and may hold, improve, develop, maintain, manage, lease, sell or convey such property subject to specified terms, limitations, and restrictions; etc., and declaring an emergency."

S. B. No. 624, A bill to be entitled "An Act creating a conservation and reclamation district known as "Sweetwater Lake Municipal Utility District of Galveston County," etc., and declaring an emergency."

S. B. No. 627, A bill to be entitled "An Act creating the Spanish Grant Municipal Utility District, etc., and declaring an emergency."

S. B. No. 133, A bill to be entitled "An Act amending Chapter 388, Acts of the 55th Legislature, Regular Session, 1957 (Article 1513a, Vernon's Texas Civil Statutes), to provide that corporations authorized under that Act are subject to supervision by the Banking Commissioner of Texas and to specify the procedure, terms, and extent of such supervision, and penalties for noncompliance; repealing Chapter 165, General Laws, Acts of the 42nd Legislature, Regular Session, 1931 (Article 1524a, Vernon's Texas Civil Statutes); providing a severability clause; and declaring an emergency."

S. B. No. 610, A bill to be entitled "An Act creating the Staffordshire Utility District of Fort Bend County, etc., and declaring an emergency."

S. B. No. 364, A bill to be entitled "An Act relating to the appointment of public weighers; amending Articles 5681, 5683, 5685, 5687, 5692, and 5702, Revised Civil Statutes of Texas, 1925, as amended, and repealing Article 5682; and declaring an emergency."

S. B. No. 500, A bill to be entitled

"An Act amending Article 952-L-12, Penal Code of Texas, 1925, to add Twin Lakes, Cedar Lake, Swan Lake, Panther Point Lake, Cottonwood Bayou, and Shell Reef Bayou to protected waters in Calhoun County; and declaring an emergency."

S. B. No. 431, A bill to be entitled "An Act exempting those with a family income of not more than \$4,800 from payment of tuition and fees at collegiate rank institutions, etc., and declaring an emergency."

S. B. No. 200, A bill to be entitled "An Act making supplemental appropriation to the Comptroller of Public Accounts, repealing laws in conflict; and declaring an emergency."

S. B. No. 307, A bill to be entitled "An Act amending Chapter 101, Acts of the 59th Legislature with reference to the funds from which bonds are to be paid and with reference to the investment of funds and the use of income from investments; and declaring an emergency."

S. B. No. 528, A bill to be entitled "An Act amending Article 14.015 of Chapter 14, Title 122A, 'Taxation-General,' Revised Civil Statutes of Texas (1925), as amended, by adding a new subsection (4) which exempts from the Texas Inheritance Tax the value of an annuity or other payment received by a named beneficiary which qualifies for exemption from the Federal Estate Tax under Subsection (c) of Section 2039 of the Internal Revenue Code of 1954, as now or hereafter amended; and declaring an emergency."

S. B. No. 531, A bill to be entitled "An Act repealing the Stock Transfer Tax levied by Chapter 16 of Title 122A, 'Taxation-General,' Revised Civil Statutes (1925), as amended; fixing an effective date; and declaring an emergency."

S. B. No. 527, A bill to be entitled "An Act amending Article 1419 of Chapter 14, Title 122A, 'Taxation-General,' Revised Civil Statutes of Texas (1925), as amended, by adding a new Subdivision (C) thereto which provides that the inheritance tax lien shall not attach to stock in a corporation incorporated and existing under the laws of the State of Texas that is owned by a non-resident decedent

or his estate, and that such stock may be transferred without obtaining an authorization for transfer and release of lien from the Comptroller of Public Accounts; and declaring an emergency."

S. B. No. 615, A bill to be entitled "An Act to amend Section 3, Chapter 519, Acts of the 59th Legislature, Regular Session, 1965; and declaring an emergency."

S. J. R. No. 41, Proposing an amendment to Section 51a, Article III, Constitution of the State of Texas, to increase the amount of money which may be spent for old age assistance and other welfare programs."

#### At Ease

On motion of Senator Aikin, and by unanimous consent, the Senate at 10:04 o'clock p.m. agreed to Stand at Ease until 10:30 o'clock p.m.

#### In Legislative Session

The President called the Senate to order as In Legislative Session at 10:30 o'clock p.m. today.

#### Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. C. R. No. 117, Creating the Oyster and Shellfish Study Committee.

H. C. R. No. 171, Authorizing the Engrossing and Enrolling Clerk to make certain corrections in the Conference Committee report on H. B. No. 428.

H. B. No. 428, A bill to be entitled, "An Act relating to exemption from Jury Service, etc., and declaring an emergency."

H. B. No. 273, A bill to be entitled, "An Act relating to the practice of barbering in this State, etc., and declaring an emergency."

H. B. No. 741, A bill to be entitled "An Act relating to reciprocal hunting and fishing privileges between Texas residents and residents of other states; etc., and declaring an emergency."



referred H. C. R. No. 114, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.  
CHRISTIE  
WORD

#### House Concurrent Resolution 114 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent H. C. R. No. 114 was ordered not printed.

#### House Concurrent Resolution 114 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 114, Granting permission to Leonard Milstead to sue the State.

The resolution was read.

On motion of Senator Brooks, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Motion to Place House Bill 161 on Second Reading

Senator Watson asked unanimous consent to suspend the regular order of business and take up H. B. No. 161 for consideration at this time.

There was objection.

#### House Bill 1117 on Second Reading

Senator Berry moved that Senate Rules 13, 32, 37 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 1117 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hall
Bates	Hardeman
Bernal	Harrington
Berry	Hazlewood
Blanchard	Herring
Brooks	Hightower
Christie	Jordan
Cole	Kennard
Connally	Mauzy
Grover	Moore

Parkhouse	Strong
Patman	Wade
Ratliff	Watson
Reagan	Wilson
Schwartz	Word

Nays—1

Creighton

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 1117, A bill to be entitled "An Act relating to employment of an executive secretary by the State Board of Examiners in the Basic Sciences, etc., and declaring an emergency."

The bill was read the second time and was passed to third reading.

#### House Bill 1117 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 1117 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

#### Vote on Final Passage of House Joint Resolution 3 Reconsidered

On motion of Senator Kennard, and by unanimous consent, the vote by which H. J. R. No. 3 was finally passed was reconsidered.

Question—Shall H. J. R. No. 3 be finally passed?

Senator Kennard offered the following amendment to the resolution:

Amend H. J. R. No. 3 by striking the following words in Sec. 2 of the resolution: "The first Tuesday after the first Monday in November, 1967"; and substitute therefor the following: "November 11, 1967."

The amendment was read and was adopted by the following vote:

Yeas—31

Aikin	Connally
Bates	Creighton
Bernal	Grover
Berry	Hall
Blanchard	Hardeman
Brooks	Harrington
Christie	Hazlewood
Cole	Herring

Hightower	Reagan
Jordan	Schwartz
Kennard	Strong
Mauzy	Wade
Moore	Watson
Parkhouse	Wilson
Patman	Word
Ratliff	

The resolution, as amended, was again passed by the following vote:

**Yeas—31**

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

**House Bill 1064 on Second Reading**

Senator Jordan moved that Senate Rules 13, 32, 37 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 1064 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Hall	Strong
Hardeman	Wade
Harrington	Watson
Hazlewood	Wilson
Herring	Word

**Nays—1**

Grover

The President then laid before the

Senate on its second reading and passage to third reading the following bill:

H. B. No. 1064, A bill to be entitled "An Act prohibiting the use of certain shrimp trawls in the shrimp nursery grounds of Harris, Chambers and Galveston Counties; providing a penalty; and declaring an emergency."

The bill was read the second time and was passed to third reading.

**House Bill 1064 on Third Reading**

The Constitutional Rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 1064 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

**House Bill 1217 on Second Reading**

Senator Jordan moved that Senate Rules 13, 32, 37 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 1217 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Herring	Word

**Nays—1**

Hazlewood

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 1217, A bill to be entitled

"An Act relating to the extension of workmen's compensation insurance to employees of certain drainage districts under the terms of Chapter 428, Acts of the 51st Legislature, Regular Session, 1949 (Article 8309c, Vernon's Texas Civil Statutes), and pursuant to Section 60, Article III, Constitution of the State of Texas; and declaring an emergency."

The bill was read the second time and was passed to third reading.

#### House Bill 1217 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 1217 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

#### Motion to Place House Bill 981 on Second Reading

Senator Reagan asked unanimous consent to suspend the regular order of business and take up H. B. No. 981 for consideration at this time.

There was objection.

#### Motion to Place House Joint Resolution 24 on Second Reading

Senator Reagan asked unanimous consent to suspend the regular order of business and take up H. J. R. No. 24 for consideration at this time.

There was objection.

#### Senate Resolution 770

Senator Word offered the following resolution:

Whereas, During the 60th Legislature there have been many familiar faces in daily attendance, among which are those of both Houses, as well as of the "Third House." Of this latter group there was one very important face missing, who was and is a friend to those of his associates and acquaintances, and

Whereas, This fine gentleman gave many years service to the "Third House" and to the State in general, and is loved and respected by all who know him, and

Whereas, He has been missed by his many friends in Austin, by whom

he was familiarly called "Senator" Raley, now, therefore be it

Resolved, That the Senate of Texas hereby send its greetings and best wishes to Honorable Luther P. Raley of Valley Mills, and that a copy of this Resolution, under the seal of the Senate, be sent to "Senator" Raley.

WORD  
HARDEMAN  
AIKIN  
HIGHTOWER  
REAGAN  
PATMAN  
RATLIFF  
HALL

Signed—Lieutenant Governor Preston Smith; Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Creighton, Grover, Harrington, Hazlewood, Herring, Jordan, Kennard, Mauzy, Moore, Parkhouse, Schwartz, Strong, Wade, Watson, Wilson.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted.

#### Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. B. No. 25, A bill to be entitled "An Act creating a State Commission for the Deaf and prescribing its powers and duties; and declaring an emergency."

H. B. No. 83, A bill to be entitled "An Act amending Section 2A of Chapter 99, Acts of the 51st Legislature, 1949, relating to credit for service in the Texas Legislature, by adding thereto a new section to be known as Section 2B (compiled as Section 2A of Article 6228b, Title 109, Vernon's Texas Civil Statutes) to provide that the time served in the Legislature of the State of Texas by any Judge coming within the purview of this Statute shall be credited to the length of judicial service; and declaring an emergency."

H. B. No. 89, A bill to be entitled

"An Act relating to voter registration and voter identification procedures at the polls; amending the Texas Election Code as follows; etc and declaring an emergency."

H. B. No. 113, A bill to be entitled "An Act creating the office of district attorney in the 85th Judicial District composed of Brazos County; prescribing the duties of district attorney; providing for his compensation; providing for an election of district attorney for the 85th Judicial District at the next general election after the effective date of this Act and at every second general election thereafter; and declaring an emergency."

Signed, subject to the provisions of Section 49A, Article III of the Constitution of the State of Texas.

H. B. No. 149, A bill to be entitled "An Act providing for the joint establishment and operation of recreational facilities by certain cities, towns, and independent school districts; and declaring an emergency."

H. B. No. 156, A bill to be entitled "An Act relating to the establishment of an advisory council for the study and research of the problems of language handicapped children and defining the duties of the Texas Education Agency and the commissioner of Education concerning study and research into the problems of language handicapped children and the development and carrying out of diagnostic and treatment programs for such children; providing an appropriation; and declaring an emergency."

H. B. No. 168, A bill to be entitled "An Act relating to deposit of fees collected by Water Rights Commissioner; etc.; and declaring an emergency."

Signed, subject to the provisions of Section 49A, Article III of the Constitution of the State of Texas.

H. B. No. 212, A bill to be entitled "An Act to carry into effect the provisions of the proposed amendment adding Section 49e to Article III of the State Constitution; defining certain terms; designating the Parks and Wildlife Department to perform the governmental functions authorized by this Act; authorizing the issuance of Seventy-Five Million Dol-

lars (\$75,000,000) State Bonds to create the Texas Park Development Fund; etc., and declaring an emergency."

H. B. No. 214, A bill to be entitled "An Act regulating the "Going Out of Business" sales and declaring an emergency."

H. B. No. 293, A bill to be entitled "An Act adopting the Business & Commerce Code; formally revising and reenacting certain statutes of a commercial nature, including the Uniform Commercial Code and statutes relating to competition and trade practices, insolvency, fraudulent transfers, and fraud, and miscellaneous commercial subjects; repealing the statutes disposed of by the code; and declaring an emergency."

H. B. No. 294, A bill to be entitled "An Act relating to selection of grand jurors; etc; and declaring an emergency."

H. B. No. 320, A bill to be entitled "An Act amending Section 1 of House Bill No. 633, Chapter 163, Acts of the Regular Session of the Fifty-fourth Legislature of Texas, 1955, authorizing the use of electro-trawls by Commercial Gulf Shrimp Boats in the waters of the Gulf of Mexico; providing a repealing clause; providing a saving clause; and declaring an emergency."

H. B. No. 344, A bill to be entitled "An Act authorizing independent school districts of more than 150 scholastics to adopt an alternate method of selecting a school depository or depositories by the adoption of an Act known as The School Depository Act of 1967; etc., and declaring an emergency."

H. B. No. 353, A bill to be entitled "An Act concerning traffic safety; expressing legislative intent; providing for authority of the Governor; establishing a statewide traffic safety program; providing for research and development projects; directing co-operation of State agencies; providing for authority of local political subdivisions; establishing a Traffic Safety Fund; providing for grants in aid to political subdivisions for governmental purposes; providing for responsibilities of the Governor; directing the disposition of fees; provid-

ing a severability clause; providing a repealer; and creating an emergency."

H. B. No. 357, A bill to be entitled "An Act relating to compulsory inspection of certain equipment on motor vehicles, trailers, semitrailers, pole trailers, and mobile homes registered in this State; increasing the fees for motor vehicle inspections and for certifications of appointment for State-appointed inspection stations; amending Subsections (a) and (b) of Section 140, Subsections (a), (b), (d), and (e) of Section 141, and Subsection (a) of Section 142, Chapter 421, Acts of the 50th Legislature, Regular Session, 1947, as amended (Article 6701d, Sections 140, 141, and 142, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 387, A bill to be entitled "An Act making it unlawful and a felony for any person who shall enter upon any premises or public utility right-of-way with intent to steal or carry away without consent of the owner or assist in stealing or so carrying away any copper wire or copper cable; providing that any person illegally transporting more than a certain amount of copper wire or copper cable shall be guilty of a felony; etc., and declaring an emergency."

H. B. No. 410, A bill to be entitled "An Act establishing temporary protection of alligators in the State of Texas; amending Article 978g, Penal Code of Texas, 1925, as amended; providing a penalty for violations, and declaring an emergency."

H. B. No. 434, A bill to be entitled "An Act to define scrap metal, to define scrap metal dealers; to require scrap metal dealers to keep records of certain transactions; to file reports concerning certain transactions; to keep such articles separate for 7 days; to prescribe penalties; repealing all laws in conflict, providing a severability clause; and declaring an emergency."

H. B. No. 457, A bill to be entitled "An Act authorizing the producers of any agricultural commodity to conduct a referendum, either on an area or statewide basis, on the proposition of whether or not such producers shall levy an assessment upon themselves, to finance programs of re-

search, education and promotion designed to encourage the production, marketing and use of such agricultural commodity; etc., and declaring an emergency."

H. B. No. 466, A bill to be entitled "An Act amending Chapter 156, Acts of the 55th Legislature, Regular Session, 1957 (Article 1724, Vernon's Texas Penal Code), prohibiting the making or filing of false, misleading or unfounded reports to any governmental agency in this State for the purpose of interfering with the operation of such governmental agency or to mislead any officer of such agency; etc., and declaring an emergency."

H. B. No. 557, A bill to be entitled "An Act relating to notice and bonding requirements for nonresident construction contractors; prescribing a penalty; providing exemptions; and declaring an emergency."

H. B. No. 561, A bill to be entitled "An Act pertaining to the tax lien of the State for delinquent taxes, etc., and declaring an emergency."

H. B. No. 765, A bill to be entitled "An Act relating to investigation by law enforcement officers of accidents occurring on certain private property, etc., and declaring an emergency."

H. B. No. 731, A bill to be entitled "An Act relating to the licensing of managing general agents of certain insurance companies or carriers by the State Board of Insurance; providing penalties; and declaring an emergency."

H. B. No. 757, A bill to be entitled "An Act relating to furnishing legal counsel for indigents accused of crime and to investigate entitlement to release of persons on personal bond; and declaring an emergency."

H. B. No. 774, A bill to be entitled "An Act relating to regulating the sale, use, and transportation of herbicides; etc., and declaring an emergency."

H. B. No. 781, A bill to be entitled "An Act relating to the sale of liquor or beer to minors; increasing the period of suspension of a license or permit for selling liquor or beer to certain minors; prescribing a new rule of evidence, in civil and criminal

proceedings; etc., and declaring an emergency."

H. B. No. 866, A bill to be entitled "An Act relating to the salary of the Judge of the Court of Domestic Relations of Smith County; amending Section 5, Chapter 16, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 2338-8, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 1011, A bill to be entitled "An Act relating to the compensation of certain county officials in counties having a population of 1,000,000 or more; amending Subsection (b), Section 8, Chapter 427, Acts of the 54th Legislature, 1955, as amended; and declaring an emergency."

H. B. No. 911, A bill to be entitled "An Act changing the boundaries of State Representative Districts, etc., and declaring an emergency."

H. J. R. No. 60, Proposing an amendment to Article III, Constitution of the State of Texas, adding Section 64, to provide for consolidating offices and functions of government by act of the Legislature and for performance of governmental functions by contract between political subdivisions in counties of not less than 300,000 and not more than 600,000 inhabitants according to the 1960 Federal Census.

H. B. No. 914, A bill to be entitled "An Act relating to salaries for judges of the Travis County Courts at Law; etc., and declaring an emergency."

H. B. No. 967, A bill to be entitled "An Act authorizing the commissioners court in counties of not less than 24,000 persons or more than 25,000 persons according to the last preceding federal census, and in counties of not less than 10,500 persons or more than 11,000 persons according to the last preceding federal census, to increase the salary or compensation of deputy sheriffs in an amount not to exceed 20 percent of the amount being paid at the effective date of this Act; and declaring an emergency."

H. B. No. 999, A bill to be entitled "An Act providing for the operation of ten-month school year program(s)

in Texas public free school districts, conditioned upon the approval thereof by the Central Education Agency as meeting policy and regulations established by the State Board of Education; providing for the financing of such program(s) annually approved, and the method for the determination of the cost to be shared by the State and for payment thereof from the Minimum Foundation School Fund; providing an effective date for this Act; and declaring an emergency."

Signed, subject to the provisions of Section 49A, Article III of the Constitution of the State of Texas.

H. B. No. 1012, A bill to be entitled "An Act relating to salary of Probate Court Judge of Tarrant County; etc., and declaring an emergency."

H. B. No. 1137, A bill to be entitled "An Act amending Sections 2 and 4 of House Bill No. 51, Chapter 481, Acts of the Fifty-sixth Legislature, Regular Session, 1959 (Article 2654-1b, Vernon's Texas Civil Statutes), to provide for the operation of non-English speaking children programs for a period of time not to exceed four and one-half months; to provide the formula for determination of salary of classroom teachers for program cost purposes of this Act; and declaring an emergency."

Signed, subject to the provisions of Section 49A, Article III of the Constitution of the State of Texas.

H. B. No. 1142, A bill to be entitled "An Act authorizing use of County School Transportation Fund and District Transportation Fund, etc., and declaring an emergency."

H. B. No. 1148, A bill to be entitled "An Act amending Subsection (A) of Section 2 and Section 19 of Senate Bill No. 74, Chapter 192, page 512, Acts of the 58th Legislature of the State of Texas, 1963, as amended (Article 1110c, Vernon's Texas Civil Statutes), to increase the number of counties affected by this Act by including in the Act all counties in the state with population in excess of 100,000; providing for severability; and declaring an emergency."

H. B. No. 1161, A bill to be entitled "An Act relating to returns filed by certain manufacturers under the limited sales, excise and use tax; amend-

ing Section (C), Article 20.05, Title 122A, Taxation - General, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 1164, A bill to be entitled "An Act amending Chapter 467, House Bill No. 77, Acts of the 44th Legislature, 2nd Called Session, 1935, as such has been heretofore amended, being the Texas Liquor Control Act, etc., and declaring an emergency."

H. B. No. 1189, A bill to be entitled "An Act authorizing certain state officials and state agencies to assist and intercede in behalf of any city, county, school district, hospital district or other political subdivision of the state or political subdivision of the county participating in programs with the Federal government; declaring conditions under which such assistance and intercession shall be given; making other provisions relating thereto; providing a severability clause; and declaring an emergency."

H. B. No. 1277, A bill to be entitled "An Act changing the names of the criminal judicial districts of Harris County to regular numbered judicial districts and changing the names of the courts to district courts; and declaring an emergency."

H. B. No. 1286, A bill to be entitled "An Act authorizing the Texas Department of Agriculture to test agricultural products for aflatoxins and charge a fee for such tests; providing that fees collected shall be deposited in the Special Department of Agriculture Fund; providing for severability, and declaring an emergency."

H. B. No. 1302, A bill to be entitled "An Act granting to the Parks and Wildlife Commission regulatory authority over the wildlife resources of Kendall County subject to certain procedures and limitations; defining 'wildlife resources,' 'depletion,' 'waste,' and 'state of emergency' in relation to such wildlife resources; etc., and declaring an emergency."

H. B. No. 1306, A bill to be entitled "An Act relating to incitement to riot; and declaring an emergency."

H. B. No. 1322, A bill to be entitled "An Act providing for appointment of the Judge of Court of Domestic

Relations of Hutchinson County, etc., and declaring an emergency."

H. B. No. 1342, A bill to be entitled "An Act relating to appointment and compensation of assistant county attorneys and secretaries in certain counties, etc., and declaring an emergency."

H. B. No. 1360, A bill to be entitled "An Act relating to an additional tax for common school districts in certain counties; and declaring an emergency."

H. C. R. No. 24, Providing for an Interim Committee for the study of Land Use and Environmental Control.

H. C. R. No. 99, Regarding Mexican Flag captured at San Jacinto.

H. C. R. No. 124, Congratulating Dean James R. D. Eddy.

H. C. R. No. 125, Congratulating the people of Kent County, Texas, as they celebrate the 75th Anniversary of the county's organization.

H. C. R. No. 127, Creating an interim legislative Committee on the Preservation of the Governor's Mansion.

H. C. R. No. 136, Creating an Interim Committee to study the problems of parking in the Capitol Complex.

H. C. R. No. 162, Commending American Airlines, and Mr. C. R. Smith, for their efforts to promote and publicize Texas.

H. C. R. No. 137, Granting Bonifacia Cavazos permission to sue the State.

#### House Bill 1074 on Second Reading

Senator Bernal moved that Senate Rules 13, 32, 37 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 1074 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin

Bernal

Berry	Mauzy
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Harrington	Schwartz
Hazlewood	Strong
Herring	Wade
Hightower	Wilson
Kennard	Word

## Nays—6

Blanchard	Hardeman
Grover	Jordan
Hall	Watson

## Absent

Bates

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 1074, A bill to be entitled "An Act relating to examination and confinement of dangerous alcoholics; amending Subsection (c), Section (9), Chapter 411, Acts of the 53rd Legislature, Regular Session, 1953 (Article 5561c, Vernon's Texas Civil Statutes); and declaring an emergency."

The bill was read the second time and was passed to third reading.

## Record of Votes

Senators Grover and Watson asked to be recorded as voting "Nay" on the passage of the bill to third reading.

## House Bill 1074 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 1074 before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Record of Votes

Senators Grover, Watson, Blanchard, Hardeman, Jordan, Patman, Hall and Hazlewood asked to be recorded as voting "Nay" on the final passage of the bill.

## Senate Bill 261 With House Amendments

Senator Cole called S. B. No. 261

from the President's Table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

## Amendment 1

Amend S. B. No. 261 by adding a new Section 6 to read as follows and renumbering Section 6 to Section 7:

"Sec. 6. This Act shall take effect September 1, 1968."

## Amendment 2

Amend Sections 5 and 6 of S. B. No. 261 to read as follows:

Section 5. The following sums or as much of them as may be necessary for the objectives and purposes shown are appropriated from the General Revenue Fund for the expenses of the Fourteenth Supreme Judicial District for the fiscal year ending August 31, 1968.

## Fourteenth District, Houston

## Personal Services—

1. Judges, 3 at \$24,000	\$72,000
2. Clerk	10,000
3. Deputy Clerk	5,616
4. Stenographer III	5,616

## Subtotal, Personal Services

\$93,232

5. Consumable supplies and materials, current and recurring operating expenses (excluding travel expense), and capital outlay	3,400
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## Total, Fourteenth District, Houston

\$96,632

Section 6. This Act takes effect on September 1, 1967.

The House amendments were read.

Senator Cole moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following Conferees on the part of the Senate on the bill: Senators Cole, Watson, Moore, Jordan and Brooks.



## Senate Resolution 771

Senator Bernal offered the following resolution:

Whereas, The Texas Rangers have been in existence historically since 1835, when the first resolution was passed by the "Permanent Council" under the leadership of Stephen F. Austin to create a corps of Texas Rangers for the purpose of protecting the frontier against the Indians, and

Whereas, The Texas Rangers began to make a name for themselves during the years of the Texas Republic (1836-1845) under the presidency of Sam Houston, as protectors of the frontier, and

Whereas, After the war with Mexico, the Indians became more aggressive than ever and fighting occurred all along the frontier, and it was during this time that the Rangers were dismissed and again reorganized, and

Whereas, During the period between the Mexican War and the Civil War, bloody conflicts with the Indians caused the removal of most of the Indians to Federal reservations outside of Texas, and

Whereas, During the Reconstruction period (1865-1873) Governor E. J. Davis caused the re-regimentation of the Rangers as a state police force, and thereafter the Rangers fell into disrepute with the war-tired people of Texas, and

Whereas, In May, 1874, Governor Richard Coke's administration appropriated \$75,000 to organize six companies of Texas Rangers and then became known as the Frontier Battalion which did much to clear the border of Indians and outlaws, and

Whereas, In 1901, the Frontier Battalion, as such, was abolished and Ranger activities were redirected towards general law enforcement among the citizens, and each Ranger was thereafter considered as a statewide peace officer, and

Whereas, During 1915, a plan by Germany and Japan to assist the Mexicans to recapture Texas was discovered, and as a result of these occurrences many innocent persons were killed, and murder was committed by citizens and Texas Rangers alike, and

Whereas, These excesses led to an investigation of the Texas Rangers by the Texas Legislature, and

Whereas, The Rangers, at this time, again had deteriorated, as members had been appointed on the basis of political influence, and not because of character or ability, and this investigation, begun in January, 1919, caused a cutback in the force to four companies of not more than 15 men, and

Whereas, By an act of the 44th Legislature in 1935, the Texas Ranger Force was placed under the jurisdiction of the Department of Public Safety to serve with all powers of peace officers, and

Whereas, The Texas Rangers have historically made a fine name for themselves in preserving law and order by "protecting the frontier," and

Whereas, That historical contribution can be fully understood and appreciated by the citizens of Texas, and

Whereas, Now in 1967 we no longer have Indian raids, Salt Wars, border raids (as occurred following the 1910 revolution in Mexico), spies, conspirators and saboteurs lurking on the border (as occurred during World War I), or trouble with smugglers and bootleggers (as occurred during Prohibition), and

Whereas, The validity of the oath which is taken by every Ranger . . . "and I do further solemnly swear that in my personal and official life I will never commit an act or deed that will bring discredit upon the Texas Rangers or the Texas Department of Public Safety" . . . is being seriously questioned by representatives of the Texas Council of Churches, and by representatives of the National Bishops' Committee for the Spanish Speaking, the Texas Catholic Conference, the American Jewish Committee (Southwest Region), and many other law abiding citizens because of a number of events recently reported in the newspapers, for example: San Antonio Express and News, Associated Press story, May 27, 1967, stating, "Rangers forcibly took picket signs from the demonstrators. Ranger Jack Van Cleve of Cotulla pushed volunteer worker Kathy Baker as she was walking across the street to a police car. 'See, I shoved another one,' he told a reporter.", and

Whereas, The San Antonio Express and News, May 28, 1967, edition,

stated, "While the train was passing I took a couple of pictures," related Rev. Ed Krueger, member of a team ministry assigned to the Lower Rio Grande Valley. "Capt. A. Y. Allee grabbed me by the collar and the seat of the pants, and said, 'You've been wanting to get arrested for a long time,' I was standing about 75 feet away from the train at the time." "Krueger said that when his wife took a picture she also was arrested. He said another Ranger slapped a hamburger from the hand of Magdaleno Dimas, a UFWOC member, in arresting him and then held his face a few inches away from the passing train"; and

Whereas, The San Antonio Express, May 19, 1967, edition, stated "The largest mass arrests in the 11-month-old Starr County farm labor dispute came Thursday when Texas Rangers placed 22 persons in jail on misdemeanor, illegal picketing charges. . . . The rangers, acting on a complaint signed by Onas Brand, a farm executive, arrested 22 pickets, five of them women, at the main gate to the farm";

Whereas, It is being publicly alleged by various churchmen and interested citizens that the Texas Rangers are not impartially enforcing the laws of the state in connection with a labor dispute in the Rio Grande Valley, but are acting as partisan police force on the side of management; and

Whereas, It is also being publicly alleged by these same citizens that the Texas Rangers are resorting to intimidation, unnecessary force, indignities, and harassment of citizens of this state; and

Whereas, Whether they be true or false, these and other charges are receiving wide publicity throughout the state and nation, and indeed throughout the world, and are thus projecting an unsavory image of the State of Texas for using its police force in the manner indicated by this publicity; now, therefore, be it

Resolved, by the Senate of the 60th Legislature, That such reports of incidents between Texas Rangers and picketing workers do have implications regarding Constitutional guarantees of freedom of speech, free assembly and the right of collective bargaining between labor and management that the Senate of Texas cannot ignore; and, be it further

Resolved, That the Senate General Investigating Committee, created by Senate Resolution 39, 60th Legislature, investigate all aspects of the involvement of Texas Rangers in the farm worker dispute in Starr County and the Rio Grande Valley of Texas.

The resolution was read and was referred to the Committee on Rules.

#### **Motion to Speak on Personal Privilege**

Senator Bernal requested that he be allowed to speak on Personal Privilege.

Senator Word raised the Point of Order that the request had not been submitted in writing.

The President sustained the Point of Order.

#### **Conference Committee Report on Senate Bill 567**

Senator Kennard submitted the following Conference Committee Report on S. B. No. 567:

Austin, Texas,

May 29, 1967.

Hon. Preston Smith, President of the Senate.

Hon. Ben Barnes, Speaker of the House of Representatives.

Sirs: We, your Conference Committee appointed to adjust the differences between the House and Senate on Senate Bill No. 567, have met and adjusted our differences and beg leave to recommend that Senate Bill No. 567 be passed in the form attached hereto.

Respectfully submitted,

KENNARD  
CREIGHTON  
HALL  
WORD  
HARRINGTON

On the part of the Senate.

MOYER  
SHANNON  
NUGENT  
JAMISON  
PARKER

On the part of the House.

S. B. No. 567,

An Act creating the 149th Judicial District; providing for its court and for the jurisdiction, terms, personnel, administration, and prac-

tice of the court; creating the 182nd Judicial District; providing for its court and for the jurisdiction, terms, personnel, administration, and practice of the court; creating the 181st Judicial District; providing for its court and for the jurisdiction, terms, personnel, administration, and practice of the court; creating the 183rd Judicial District; providing for its court and for the jurisdiction, terms, personnel, administration, and practice of the court; creating the 300th Judicial District; providing for its court and for the jurisdiction, terms, personnel, administration, and practice of the court; providing an effective date; making an appropriation; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. 149TH JUDICIAL DISTRICT

Section 1. CREATION AND JURISDICTION. (a) The 149th Judicial District is created. Its boundaries are coextensive with the boundaries of Potter County and Randall County, and its court is the 149th District Court.

(b) The 149th District Court has the jurisdiction provided for district courts by the Constitution and laws of this State. Its jurisdiction is concurrent in Potter County and in Randall County with that of the 47th and 108th District Courts.

Sec. 2. TERMS OF COURT. The terms of the 149th District Court begin on the first Monday in January and the first Monday in July of each year. Each term of the court continues until the next succeeding term convenes.

Sec. 3. JUDGE. (a) As soon as practicable after the effective date of this Act, the Governor shall appoint as Judge of the 149th District Court a person qualified to serve as a district judge under the Constitution and laws of this State. The judge appointed holds office until the next general election and until his successor is duly elected and qualified.

(b) The Judge of the 149th District Court is entitled to the same compensation and allowances provided by the state and counties for the other district judges in Potter and Randall counties.

Sec. 4. COURT OFFICIALS. (a) The Judge of the 149th District Court may appoint an official court reporter. The reporter must meet the qualifications prescribed by law for that office and is entitled to the same compensation, fees, and allowance provided by law for other official court reporters.

(b) The District Attorney of the 47th Judicial District shall serve as district attorney, and the sheriff and clerk in each county comprising the 149th Judicial District shall serve as sheriff and clerk, respectively, for the 149th District Court in his county. They shall perform the duties, and are entitled to the compensation and allowances, prescribed by law for their respective offices.

Sec. 5. TRANSFER OF CAUSES.

(a) The Judges of the 47th, 108th and 149th District Courts may freely transfer causes, civil and criminal, to and from the dockets of their respective courts. The judges may also freely exchange benches and courtrooms with each other so that if a judge is ill, disqualified, or otherwise absent, another judge may hold court for him without the necessity of transferring the causes involved.

(b) A judge of one of the district courts of Potter County or Randall County may hear all or any part of a cause pending in another district court of the county; and he may rule and enter orders on, continue, determine, or render judgment on all or any part of the cause without the necessity of transferring it to his own docket.

ARTICLE 2. 182ND JUDICIAL DISTRICT

Section 1. There is hereby created in and for Jefferson County, Texas, an additional District Court to be known as the District Court for the 182nd Judicial District of Texas composed of the County of Jefferson.

Sec. 2. The District Court for the 182nd Judicial District shall have and exercise concurrent jurisdiction with the 58th, 60th, and 136th District Courts within the limits of Jefferson County in all civil cases or proceedings and matters over which District Courts are given jurisdiction by the Constitution and laws of this State.

Sec. 3. The terms of the District Court for the 182nd Judicial District shall be as follows:

There shall be two terms of said

District Court for the 182nd Judicial District in Jefferson County in each year, and the first term, which shall be known as the January-June term, shall be begun in said Court on the first Monday in January and shall continue until and including Sunday next before the first Monday in July; and the second term, which shall be known as the July-December term, shall begin in said Court on the first Monday in July, and shall continue until and including Sunday next before the first Monday in the following January.

Sec. 4. The place of sitting of the District Court for the 182nd Judicial District shall be as follows:

Said court, in the discretion of the judge presiding, may sit at Port Arthur, Texas, for trial of non-jury cases. Nothing herein, however, shall be construed to prevent the trial of non-jury cases at Beaumont, Texas, or to deprive the court of jurisdiction to try non-jury cases at the county seat.

Sec. 5. Immediately on the effective date of this Act, the Governor shall appoint a suitable person having the qualifications provided by the Constitution and laws of this State as Judge of the District Court for the 182nd Judicial District, who shall hold office until the next general election, and until his successor shall be duly elected and qualified, as provided by the Constitution and laws of this State; and he shall receive such compensation as allowed other district judges under the laws of this State.

Sec. 6. The Judge of the 182nd District Court is authorized to appoint an official shorthand reporter of such court who shall have the qualifications now required by law of official shorthand reporters. Such reporter shall perform such duties as are required by law, and such duties as may be assigned to him by the Judge of the District Court for the 182nd Judicial District, and shall receive as compensation for his services the compensation now allowed to the official shorthand reporters under the laws of this State.

Sec. 7. The District Clerk of Jefferson County shall also act as district clerk of the 182nd Judicial District in Jefferson County. The District Clerk of Jefferson County shall docket alternately on the dockets of the District Courts of the 58th, 60th, 136th, and 182nd Judicial Districts in

Jefferson County all civil cases, actions, petitions, applications and other proceedings filed in the District Courts of Jefferson County, so that the first case or proceeding filed after the effective date of this Act and every fourth case or proceeding thereafter filed shall be docketed in the 58th Judicial District and the second case or proceedings filed and every fourth case or proceedings thereafter filed shall be docketed in the 60th Judicial District Court; and so forth. In this manner, all civil cases or proceedings shall be docketed in and distributed among the 58th Judicial District Court, the 60th Judicial District Court, the 136th Judicial District Court, and the 182nd Judicial District Court, one-fourth to each of them when first filed. All civil suits and proceedings shall be filed by the Clerk in the order in which the petitions are presented to or deposited with him, and immediately after being so presented or deposited.

Any cases or proceedings pending on the dockets of the 58th, 60th, 136th, or 182nd District Courts may in the discretion of the judge thereof be transferred from one of said courts to either of the other, either in term-time or in vacation, and the judges may in their discretion exchange benches or districts from time to time. In the case of the disqualification of the judge of any of said courts in any case or proceeding, such case or proceeding on the suggestion of such judge of the disqualification entered on the docket shall be transferred to another of said courts, and the order of transfer may be made by such disqualified judge or by any judge of another said courts; or instead of transferring the case or proceeding, the judge of any other of said courts may sit in the court in which the case or proceeding is then pending and there try the same, and all transferred cases or proceedings shall be docketed by the Clerk accordingly.

Sec. 8. All process, writs, bonds, recognizances or other obligations issued out of District Courts of Jefferson County are hereby made returnable to the terms of the District Courts of Jefferson County, as said terms are fixed by law and by this Act, and all bonds executed and recognizances entered in said courts shall bind the parties for their appearance or to fulfill the obligations of

such bonds or recognizances at the terms of such court as fixed by law and by this Act; and all process heretofore returned, as well as all bonds and recognizances heretofore taken in the District Courts of Jefferson County, shall be valid.

Sec. 9. The Sheriff of Jefferson County shall attend, either in person or by deputy, the court as required by law in Jefferson County or when required by the judge thereof, and the sheriffs and constables of the several counties of this State when executing process out of said court shall receive fees provided by General Law for executing process out of District Courts.

Sec. 10. The provisions of Article 52-160a, Vernon's Texas Code of Criminal Procedure, as amended, shall be applicable to the court herein created as well as the 58th, 60th, and 136th Judicial District Courts, as well as to the Criminal District Court of Jefferson County, Texas.

### ARTICLE 3. 181ST JUDICIAL DISTRICT

Section 1. An additional District Court is hereby created in and for the County of Denton, State of Texas, the limits of which district shall be coextensive with the limits of said county. Said court shall be known as the 181st District Court.

Sec. 2. Upon the effective date of this Act, the Governor shall appoint a Judge of the District Court for the 181st Judicial District, who shall have the qualifications required of judges of district courts of this State and who shall hold his office until the next general election and until his successor is duly elected and qualified.

Sec. 3. The terms of the District Court of the 181st Judicial District shall be on the first Mondays in January and June, and each term of court may continue in session until the Saturday night immediately preceding the Monday for convening the next regular term of such court. In the above-named county in which there are two (2) District Courts, such District Courts shall have concurrent jurisdiction with each other in said county throughout the limits thereof of all matters, civil and criminal, of which jurisdiction is given to the District Court by the Constitution and laws of this State.

Sec. 4. The Judges of the 16th

Judicial District Court, in and for Denton County, Texas, and the 181st Judicial District Court of Denton County, Texas, either in termtime or in vacation on motion of any party, or on agreement of the parties, or on their own motion transfer any case or proceeding, civil or criminal, on their dockets to the docket of the other District Court, and the judges of said courts may, in their discretion, exchange benches or districts from time to time, and whenever a judge of one of said courts is disqualified, he shall transfer the case or proceeding from his own court to one of the other courts, and any of said judges may in his own courtroom try and determine any case or proceedings pending in either of the other courts without having the case transferred, or may sit in any of the other courts, and there hear and determine any case or proceeding there pending, and such judgment and order shall be entered in the minutes of the court in which the case is pending, and two (2) or more judges may try different cases in the same court at the same time, and each may occupy his own courtroom, or the room of any other court. In the case of absence, sickness or disqualification of any of said judges, any other of said judges may hold court for him. Any of said judges may hear any part of any case or proceeding pending in any of said courts, and determine the same or may hear or determine any question in any case or proceeding and any other of said judges may complete the hearing and render judgment in the same. Any of said judges may hear and determine, demurrers, motions, petitions for injunction, application for appointment of receivers, interventions, pleas of privilege, pleas in abatement and all dilatory pleas, motions for new trials and all preliminary matters, questions and proceedings and may enter judgment or order thereon in the court in which the case or proceeding is pending without having the same transferred to the court of the judge acting and the judge in whose court the same is pending may thereafter proceed to hear, complete and determine the same or any other matter or any part thereof and render final judgment thereon. Any of the judges of said courts may issue restraining orders and injunctions returnable to any of the other judges of courts.

The specific matters mentioned in this section shall not be construed as a limitation on the powers of such judges when acting for any other judge by exchange of benches or otherwise.

Sec. 5. The District Clerk, Sheriff and District Attorney of Denton County shall perform all the duties and functions relative to all District Courts of their County as is required by law for the District Court thereof.

Sec. 6. The Judge of the 181st District Court is authorized to appoint an official court reporter for his Court, and said court reporter shall have the qualifications now required by law for official shorthand reporters. Such reporter shall perform the duties as required by law and such duties as may be assigned to the court reporter by the Judge of the Court to which the reporter is appointed and shall receive as compensation for his services the compensation now allowed or hereafter allowed for official shorthand reporters for District Courts under the laws of this State.

Sec. 7. All process, writs, bonds, recognizances, or other obligation issued out of District Courts of the County coming under this Act are hereby made returnable to the terms of the District Courts of said County as said terms are fixed by law and by this Act, and all bonds executed and recognizances entered in said Court shall bind the parties for their appearance or to fulfill the obligations of such bonds or recognizances at the terms of such Court as fixed by law and by this Act, and all process heretofore returned, as well as all bonds and recognizances heretofore taken in the District Courts of the County herein shall be valid.

Sec. 8. All grand and petit juries drawn and selected under existing laws in Denton County shall be considered lawfully drawn and selected for either the 16th District Court or the 181st District Court and may be used interchangeably in connection with said Courts.

Sec. 9. The letters A and B shall be placed on the Docket and the Court papers of the respective District Courts of Denton County, Texas, to distinguish them; the letter A, being used in connection with the 16th District Court and the letter B, being used in connection with the 181st District Court.

Sec. 10. At the next general elec-

tion after the creation of the one (1) District Court numbered herein, a Judge of the said Court shall be elected for a term of four (4) years and until his successor shall have been duly elected and qualified. Such person so appointed and elected shall have the qualifications provided by the Constitution and the laws of this State for District Judges. The Judge of the Court created by this Act shall draw the same compensation that it provided by the laws of the State of Texas for the District Judge of Denton County, Texas.

#### ARTICLE 4. 183RD JUDICIAL DISTRICT

Section 1. There is hereby created in and for Tarrant County, Texas, an additional District Court to be known as the District Court of the 183rd Judicial District of Texas composed of the County of Tarrant.

Sec. 2. The District Court for the 183rd Judicial District shall have and exercise concurrent jurisdiction with the 17th, 48th, 67th, 96th, and 153rd District Courts within the limits of Tarrant County in all civil cases or proceedings and matters over which District Courts are given jurisdiction by the Constitution and laws of this State.

Sec. 3. The terms of the District Court of the 183rd Judicial District shall be as follows:

On the first Monday in February, May, August and November and may continue in session until the Saturday immediately preceding the Monday for the convening of the next regular term of such Court. Any term of the Court may be divided into as many sessions as the Judge thereof may deem expedient for the disposition of business.

Sec. 4. Immediately on the effective date of this Act, the Governor shall appoint a suitable person having the qualifications provided by the Constitution and laws of this State as Judge of the District Court for the 183rd Judicial District who shall hold office until the next general election and until his successor shall be duly elected and qualified as provided by the Constitution and laws of this State, and he shall receive such compensation as allowed other District Judges under the laws of this State.

Sec. 5. The Judge of the 183rd District Court is authorized to appoint an official shorthand reporter of such

Court who shall have the qualifications now required by law of official shorthand reporters. Such reporter shall perform such duties as are required by law and such duties as may be assigned to him by the Judge of the 183rd District Court and shall receive as compensation for his services the compensation now allowed other official shorthand reporters under the laws of this State.

Sec. 6. The District Clerk of Tarrant County shall also act as District Clerk for the 183rd Judicial District in Tarrant County.

Sec. 7. The Judge of any of the District Courts in Tarrant County may in his discretion try and dispose of any causes, matters or proceedings for any other Judge of said Courts. Either of the Judges of said District Courts of Tarrant County may at his discretion at termtime or in vacation transfer a case or cases to said other District Court with the consent of the Judge of said other District Court by order entered in the minutes of his Court. When such transfer is ordered, the District Clerk of Tarrant County shall certify all orders made in said case and such certified copies of such orders together with the original papers shall be filed among the papers of the case thus transferred and the fees thereof shall be taxed as part of the cost of said suit and the Clerk of said Court shall docket any such case in the Court to which it shall have been transferred, and when so entered, the Court to which the same shall have been thus transferred shall have like jurisdiction therein as in cases originally filed in said Court. All process and writs issued out of the District Court from which any such transfer is made shall be returnable to the Court to which said transfer is made, according to the terms of the District Court or the respective Courts as fixed by this Act.

Sec. 8. The Sheriff of Tarrant County shall attend either in person or by deputy the Court as required by law in Tarrant County or when required by the Judge thereof, and the Sheriffs and Constables of the several counties of this State when executing process out of said Court shall receive fees provided by General Law for executing process out of District Courts.

Sec. 9. All process, writs, bonds, recognizances or other obligations is-

sued out of the District Courts of Tarrant County are hereby made returnable to the terms of the District Courts of Tarrant County as said terms are fixed by law and by this Act, and all bonds executed and recognizances entered in said Court shall bind the parties for their appearance or to fulfill the obligations of such bonds or recognizances at the terms of such Court as fixed by law and by this Act; and all process heretofore returned, as well as all bonds and recognizances heretofore taken in the District Courts of Tarrant County, shall be valid.

#### ARTICLE 5. 300TH JUDICIAL DISTRICT

Section 1. CREATION AND JURISDICTION. (a) The 300th Judicial District is created. Its boundaries are coextensive with the boundaries of Kerr and Bandera Counties.

(b) The 300th District Court has the jurisdiction provided for District Courts by the Constitution and laws of this State. The jurisdiction of the 300th District Court is concurrent with that of the State of Texas.

Sec. 2. TERMS OF COURT. The terms of the 300th District Court begin on the first Monday in January and the first Monday in July of each year. Each term of the Court continues until the next succeeding term convenes.

Sec. 3. JUDGE. (a) As soon as practicable after the effective date of this Act, the Governor shall appoint as Judge of the 300th District Court a person qualified to serve as a District Judge under the Constitution and laws of this State. The Judge appointed holds office until the next general election and until his successor is duly elected and qualified.

(b) The Judge of the 300th District Court is entitled to the same compensation and allowance as provided by the State for other District Judges.

Sec. 4. COURT OFFICIALS. (a) The Judge of the 300th District Court may appoint an official court reporter. The reporter must meet the qualifications prescribed by law for that office and is entitled to the same compensation, fees, and allowances provided by law for the official court reporter of the 49th Judicial District.

(b) The District Attorney of the 2nd 38th Judicial District shall serve as the District Attorney in Kerr and



Bandera counties. The sheriff and clerk of each County comprising the 300th Judicial District shall serve as sheriff and clerk, respectively, of the 300th District Court. They shall perform the duties, and are entitled to the compensation and allowances, prescribed by law for their respective offices.

(c) The Judge of the 300th District Court may appoint an officer for each of the Counties in their respective Districts to act as bailiff or bailiffs for said Court. Each such bailiff or bailiffs appointed shall be paid a salary out of the General Fund of the County of such Court as set by the District Court making such appointment, with the approval of the Commissioners Court of the County of such Court. The bailiff or bailiffs shall perform any and all duties imposed upon bailiffs in this State under the General Laws. In addition thereto, the bailiffs shall perform such duties as are required by the District Judge appointing such officer. The bailiff thus appointed is subject to removal without cause at the will of the appointing Judge. Bailiffs thus appointed shall be duly deputized by the sheriff of such County, in addition to other deputies now authorized by law, upon the request of the District Judge or District Judges.

#### Sec. 5. TRANSFER OF CAUSES.

(a) In any County of the 300th Judicial District where the jurisdiction of the 300th District Court is concurrent with that of another District Court, the Judges of the two District Courts having concurrent jurisdiction may freely transfer causes, civil and criminal, to and from the dockets of their respective Courts. The Judges may also freely exchange benches and courtrooms with each other so that if a Judge is ill, disqualified, or otherwise absent, another Judge may hold Court for him without the necessity of transferring the cause involved.

(b) In any County of the 300th Judicial District where the jurisdiction of the 300th District Court is concurrent with that of another District Court, a Judge of one of the District Courts having such concurrent jurisdiction may hear all or any part of a cause pending in another District Court of that County, and he may rule and enter orders on, continue, determine, or render judgment on all or any part of the cause with-

out the necessity of transferring it to his own docket.

#### ARTICLE 6. MISCELLANEOUS PROVISIONS

Section 1. There is hereby appropriated from the General Revenue Fund for the fiscal year ending August 31, 1968, the following:

(a) Salary of the District Judge of the 149th Judicial District ..... \$ 18,000

(b) Salary of the District Judge of the 182nd Judicial District ..... \$ 18,000

(c) Salary of the District Judge of the 181st Judicial District ..... \$ 18,000

(d) Salary of the District Judge of the 183rd Judicial District ..... \$ 18,000

(e) Salary of the District Judge of the 300th Judicial District ..... \$ 18,000

#### Sec. 2. SEVERABILITY CLAUSE.

If any provision of this Act or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

#### Sec. 3. EMERGENCY CLAUSE.

The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended, and that this Act take effect and be in force from and after September 1, 1967, and it is so enacted.

The Conference Committee Report was read.

Question: Shall the Conference Committee Report on S. B. No. 567 be adopted?

#### Conference Committee on House Bill 428

Senator Herring called from the President's Table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 428 and moved that the request be granted.



The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following as a Conference Committee on the part of the Senate on H. B. No. 428: Senators Herring, Creighton, Reagan, Wade and Word.

#### House Bill 134 on Second Reading

Senator Hightower moved that Senate Rules 13, 32 and 38 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 134 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word

Nays—1

Parkhouse

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 134, A bill to be entitled "An Act to relieve county assessors and collectors of taxes from liability for civil damages to private persons and corporations for acts performed in the exercise of their official functions; providing certain exceptions; and declaring an emergency."

The bill was read the second time and passed to third reading.

On motion of Senator Hightower and by unanimous consent the vote by which H. B. No. 134 was passed to third reading was reconsidered.

Question—Shall H. B. No. 134 be passed to third reading?

#### House Concurrent Resolution on First Reading

The following resolution received from the House was read the first time and referred to the Committee indicated:

H. C. R. No. 110, to the Committee on Counties, Cities and Towns.

#### Report of Standing Committee

Senator Hall by unanimous consent submitted the following report:

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. C. R. No. 110, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.  
WORD  
CHRISTIE

#### Conference Committee Report on House Bill 428

Senator Herring submitted the following Conference Committee Report on House Bill No. 428:

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Hon. Ben Barnes, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 428, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

HERRING  
WORD  
REAGAN  
WADE  
CREIGHTON

On the part of the Senate.  
PEELER  
DICKSON

RAY  
SHANNON  
HAND

On the part of the House.

H. B. No. 428,

A BILL  
To Be Entitled

An Act amending Articles 2135, Revised Civil Statutes of Texas, 1925, as amended, relating to exemption from jury service, and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Article 2135 of the Revised Civil Statutes of Texas, 1925, as last amended by Chapter 232, Acts of the 59th Legislature, Regular Session, 1965, is hereby amended to read as follows:

"Article 2135. Jury Service

"All competent jurors are liable to jury service, except the following persons:

"1. All persons over sixty-five years of age.

"2. All ministers of the gospel engaged in the active discharge of their ministerial duties.

"3. All physicians, dentists, veterinarians, chiropractors, optometrists, and attorneys and spouses of attorneys engaged in actual practice.

"4. All railroad station agents, conductors, engineers and firemen of railroad companies when engaged in the regular and actual discharge of their respective positions.

"5. All members of the National Guard of this State under the provisions of the title 'Militia' during periods of time when they are actually on active duty.

"6. In cities and towns having a population of one thousand or more inhabitants, according to the last preceding United States Census, the active members of organized fire companies, not to exceed twenty to each one thousand of such inhabitants.

"7. All females who have legal custody of a child or children under the age of sixteen years.

"8. All registered, practical and vocational nurses actively engaged in the practice of their profession.

"9. Any practitioner who treats the sick by prayer or spiritual means in accordance with the tenets, teachings or practice of any well-established church or denomination, or a nurse

who cares for the sick who are under treatment by such spiritual means, or a reader whose duty is to conduct regular religious services of such church or denomination.

"10. All licensed morticians who are actively engaged in the practice of their profession.

"11. All registered pharmacists who are actively engaged in the practice of their profession.

"12. Agents and patrolmen engaged in forestry protection work employed by the State Department of Forestry when engaged in the actual discharge of their duties.

"13. The spouse of any person who is summoned to serve on the same jury panel; provided, however, that only one of the spouses, either the husband or the wife, may claim exemption on this ground, and if both the husband or the wife, may claim exemption on this ground, and if both the husband and the wife seek to claim the exemption, the court shall decide which shall be entitled to it.

"14. All school teachers, which shall include public, parochial and private school teachers provided, however, all school teachers shall be liable to jury service during summer months or other extended periods of time when they are not actually teaching."

Section 2. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted

The Conference Committee Report was read and was adopted.

#### Record of Votes

Senators Blanchard, Christie, and Hardeman asked to be recorded as voting "Nay" on the adoption of the Conference Committee Report.

#### House Concurrent Resolution 110 Ordered Not Printed

On motion of Senator Christie and by unanimous consent H. C. R. No. 110 was ordered not printed.

### House Concurrent Resolution 110 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 110, Granting Tilford Edwards, et al., permission to sue the State of Texas.

The resolution was read.

On motion of Senator Christie, and by unanimous consent, the resolution was considered immediately and was adopted.

### Leave of Absence

Senator Bates was granted leave of absence for the remainder of today on account of important business on motion of Senator Hardeman.

### Senate Resolution 773

Senator Aikin offered the following resolution:

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: At a caucus held on May 29, 1967, and attended by 28 members of the Senate, the following recommendations were made, to-wit:

### BE IT RESOLVED BY THE SENATE,

That the following named employees be retained for a number of days at the per diem salary specified in each case to perform such duties as may be required of them in connection with the business of the State, viz:

The Secretary of the Senate shall be retained during the interval between adjournment of this session and the convening of the next session of the Legislature, for which services he shall receive \$1250 per month, and in addition thereto he and the Lieutenant Governor shall be furnished postage, telegraph, telephone, express and all other expenses incident to the office.

The Assistant Secretary of the Senate shall be employed by the Secretary of the Senate and shall be retained during the interval between adjournment of this session and the convening of the next session of the Legislature with a salary of \$22 per day, and one assistant secretary at \$20 per day.

The Lieutenant Governor may employ such employees as are necessary for the operation of his office from the closing of this session and until the convening of the next session, and shall employ some suitable person who shall index and annotate the Legislative Manual for the Senate of the Sixtieth Legislature and provide sufficient copies thereof to be paid for out of the Contingent Expense Fund for the use of the Members of the Senate.

The Warrant Clerk shall be retained for a period of 30 days at a salary of \$20 per day.

The Calendar Clerk shall be retained for a period of 30 days at a salary of \$22 per day and the Assistant Calendar Clerk for a period of 30 days at a salary of \$18 per day.

The Journal Clerk shall be retained for a period of 360 days at \$22 per day, and the Assistant Journal Clerk shall be retained for 360 days at \$18 per day.

The Sergeant-at-Arms, Jeff Davis, shall be retained for the ad-interim at a salary of \$700 per month, and one assistant, Mrs. Martha Montague, for the ad-interim at a salary of \$20 per day, and 2 assistants for 14 days at \$12 per day, and one assistant for 14 days at \$13 per day.

The Lieutenant Governor may employ or retain at \$10 per day as many porters as may be necessary, and a head porter at \$15 per day.

The Enrolling and Engrossing Clerk shall be retained 30 days at \$25 per day, and 3 assistants to assist her shall be retained for 25 days at \$14 per day, and 1 assistant for 30 days at \$19 per day, and 2 for 30 days at \$14 per day.

The private secretary of each Senator may be retained for 14 days at \$18 per day to perform such duties as may be required of them.

The Mailing Clerk of the Senate shall be retained for 30 days at \$22 per day and 1 assistant for 30 days at \$18 per day, and 3 assistants for 13 days at \$14 per day and 1 assistant at \$14 per day for 15 days.

The Post Mistress shall be retained for a period of 10 days at a salary of \$16 per day.

The Chairman of the Senate Committee on Contingent Expense is hereby authorized and directed to cause the Senate Chamber to be placed in order and an inventory made of all furniture and fixtures in the Senate Chamber and in the

private offices of the Members, as well as of the supplies and equipment on hand in the room of the Sergeant-at-Arms, and close his books for the Regular Session of the Sixtieth Legislature. He shall also examine records and accounts payable out of the Contingent Expense Fund as shall be necessary, properly to approve all claims and accounts against the Senate, and no claim or account shall be paid without his consent and approval, and he and any member of the Contingent Expense Committee shall be entitled to receive his actual and necessary expenses incurred during the interim.

The Lieutenant Governor shall appoint a Custodian of the Senate to perform such services as the Lieutenant Governor or the Secretary of the Senate may direct and the Custodian to receive the sum of \$14 per day.

Resolved, That there shall be printed 325 volumes of the Senate Journal of the Regular Session of the Sixtieth Legislature and when completed, 250 copies shall be bound in buckram and delivered to the Secretary of the Senate and one volume thus bound shall be forwarded by the Secretary of the Senate to each member of the Senate and House of Representatives, to the Lieutenant Governor, and 75 paper bound copies shall be furnished to the State Library. Such journal may, in the alternate, be included with the prior journals for the Sixtieth Legislature. The printing of such journals shall be done in accordance with the provisions of this resolution under the supervision of the Chairman of the Committee on Contingent Expense; provided, further, that it shall be the duty of said Chairman to refuse to receive or receipt for said Senate Journals until corrected and published in accordance with the pre-existing law as finally approved by the Chairman of the Committee on Contingent Expense of the Senate. When the accounts have been certified to by the Chairman of the Committee on Contingent Expense of the Senate, said accounts shall be paid out of the Contingent Expense Fund of the Sixtieth Legislature; and be it further

Resolved, That all salaries herein authorized to be incurred and paid for shall be paid out of the per diem and contingent expense fund of the Sixtieth Legislature upon warrants

signed by the Lieutenant Governor and the Secretary of the Senate. All warrants for the payment of materials, supplies and expenses of the Senate shall be paid upon warrants signed by the Lieutenant Governor and Chairman of the Senate Committee on Contingent Expense; and be it further

Resolved, That in furtherance of the Legislative duties and responsibilities of the Senate the Contingent Expense Committee is hereby authorized and directed to pay for salaries, stamps, telephone service, office rent, office equipment and supplies, actual expenses of members for travel incurred while transacting Senate business, and other reasonable and necessary expenses for the use of the Members of the Senate during any period the Legislature is not in Session. Expenditures for these services hereby authorized as an expense of the Senate shall not be restricted to Austin, but may be incurred and reimbursed with Contingent funds of the Senate to the individual Senatorial Districts. Such expenses shall be paid from S. B. No. 15, S. B. No. 628 and H. B. No. 1, all enacted by the Regular Session of the Sixtieth Legislature, and H. B. No. 12 enacted by the Fifty-ninth Regular Session, or any other funds appropriated for the use of the Senate on vouchers approved by the Chairman of the Contingent Expense Committee and the Lieutenant Governor in accordance with regulations governing such expenditures; and be it further

Resolved, That payment for expenses for supplies and equipment, telephone, salaries, stamps, office rent or any other reasonable and necessary expenses including actual expenses of Members for travel incurred while transacting Senate business for any Member of the Senate during any calendar month should not be in excess of \$1,000. In no instance, however, shall the interim expense exceed the monthly amount times the number of months or parts thereof comprising the interim. The Sergeant-at-Arms and the Secretary of the Senate are instructed not to prepare for payment any expense in excess of such amount.

The total amount of expenses of any kind allowable hereunder for any member shall not be cumulative; and, be it further

Resolved, That the cash balance on hand under the provisions of S. R.

No. 15 of the Forty-seventh Legislature be turned over to the Secretary of the Senate and he is directed to have full charge of the vending machines and to expend receipts thereof as now authorized by said Resolution; and, be it further

Resolved, That a matron be retained for the women's rest room at a salary of \$10 per day; and, be it further

Resolved, That the Lieutenant Governor and the Chairman of the Senate Committee on Contingent Expense shall have authority to employ such additional personnel as may from time to time be required and to purchase such supplies and to make all such repairs and improvements as are necessary between the adjournment of this session and the convening of the next session of the Legislature; and, be it further

Resolved, That the Chairman of the Finance Committee shall have authority to employ such additional employees of his own selection as may be needed by said committee, said employees to receive the same compensation paid similar positions as herein fixed, who shall discharge the duties of the Finance Committee; and, be it further

Resolved, That the Lieutenant Governor shall have the authority to appoint the Secretary of the Senate or any member to attend National Legislative Conferences and other similar meetings. Necessary and actual expenses are hereby authorized upon the approval of the Chairman of the Contingent Expense Committee; and, be it further

Resolved, That with the approval of the Lieutenant Governor and the Chairman of the Committee on Contingent Expense, the actual expenses of Members serving on interim committees whose expenses are not otherwise provided for shall be reimbursed from the Contingent Expense Fund; and, be it further

Resolved, That the Lieutenant Governor is authorized to appoint Rev. W. H. Townsend, Senate Chaplain, during the ad-interim as an Assistant to work under the direction of the Lieutenant Governor and the Chairman of the Contingent Expense Committee at a salary of \$14 per day.

The Sergeant-at-Arms is specifically directed not to permit the removal of any of the property of the

Senate from the Senate Chamber or the rooms of the Senate.

Respectfully submitted,

AIKIN,  
Chairman of the Caucus.

HAZLEWOOD,  
Secretary of the Caucus.

The resolution was read and was adopted by the following vote:

Yeas—17

Bernal	Kennard
Berry	Mauzy
Brooks	Patman
Christie	Reagan
Cole	Schwartz
Connally	Wade
Creighton	Watson
Harrington	Wilson
Herring	

Nays—11

Aikin	Jordan
Blanchard	Parkhouse
Grover	Ratliff
Hall	Strong
Hardeman	Word
Hightower	

Absent

Hazlewood	Moore
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Absent—Excused

Bates

Reason for Vote

I voted against the adoption of the Caucus Report because I think the amount of \$1,000.00 per month for expenses of individual Senators during the ensuing interim is unconscionable and unreasonable, as well as of doubtful constitutionality, especially as it purports to include travel expenses.

HARDEMAN

Reason for Vote

I think that this amount of expense money voted by the Senate Caucus is totally unnecessary and is an indictment of the legislative abuse under one party domination. I have been against it from the start and those Senators voting for it show a disregard for the public treasury.

GROVER

**Election of President Pro Tempore  
Ad Interim for the Regular Ses-  
sion of the Sixtieth  
Legislature**

The President announced the election of the President Pro Tempore Ad Interim as the next order of business.

Senator Word nominated Senator Ralph Hall of Rockwall as President Pro Tempore Ad Interim of the Regular Session of the Sixtieth Legislature.

Senators Aikin, Herring, Creighton, Schwartz, Connally, Hightower, Blanchard, Wade, Patman, Reagan, Hardeman, Strong, Watson, Harrington, Bernal, Christie, Kennard and Berry seconded the nomination of Senator Hall as President Pro Tempore Ad Interim of the Regular Session of the Sixtieth Legislature.

There being no further nominations, the President appointed Senators Hardeman, Herring, and Aikin as tellers to take up and count the ballots.

The ballots were taken up and counted and the President announced that Senator Hall had received 29 votes with one present and not voting for President Pro Tempore Ad Interim of the Regular Session of the Sixtieth Legislature and declared him duly elected.

Senators Word, Aikin, Herring, Creighton and Schwartz were appointed to escort Senator Hall and his family to the President's Rostrum. The President administered the Constitutional Oath of Office as President Pro Tempore Ad Interim of the Regular Session of the Sixtieth Legislature to Senator Hall.

The President then presented Senator Hall to the Senate as their President Pro Tempore Ad Interim.

President Pro Tempore Ad Interim Hall addressed the Senate, stating that taking the oath was a sacred obligation to him and thanked the Members for himself and the members of his family and expressed appreciation from the bottom of his heart for the honor bestowed upon him. Senator Hall further stated that the pleasant memories of the Session would remain with him and the as-

sociation would be a highlight of his life.

President Pro Tempore Hall then presented the members of his family present on the Rostrum—his wonderful wife, his two sons J. Blakeley Hall and Bret Hall, and expressed regrets that his son Ralph Hampton could not be present.

Senator Hall expressed appreciation for his staff and everyone who had helped in assisting him to attain the office of President Pro Tempore Ad Interim.

**Senate Resolution 774**

Senator Wilson offered the following resolution:

Whereas, Some men make an imprint on the minds of their fellows by a particular act of distinction; some are remembered for their fellowship and, perhaps, a personality that singles them out from the common herd; some stand out in a crowd because of leadership, distinctive appearance, or ideals and principles which give them stature; but George Parkhouse, venerable member of the Senate of Texas, has all of these attributes—and more, too; and

Whereas, This unusual and distinguished Senator from Dallas has acquired more friends and more friendly enemies than any man who has ever served in the Senate of Texas; he has, through the long years of his service, achieved more for his beloved Dallas than would seem humanly possible; and

Whereas, Elected to the Texas House of Representatives in 1932, Senator Parkhouse served one term at that time and waited another 10 years before he returned to service in the Texas Legislature; he was again elected to the House in 1942 and moved over to the Senate to serve his first session in the upper House in 1951, with the 52nd Legislature; and

Whereas, Fellow members, the "Third House," and constituents know him as a real fighter who sticks with a cause; during his long tenure he has been the proponent, author, and coauthor of nearly all the progressive water legislation which has been enacted; included in the other outstanding legislation which he spon-

sored and supported have been the famous Texas "Right to Work Law"; insurance legislation, improvements in the laws relating to mentally retarded and blind children; and

Whereas, He has also worked diligently for improvements in public school education in Texas, and was one of the major supporters of the original Gilmer-Aikin program; he also pushed the measure which established the State Employees Retirement System; and

Whereas, With all his dedication to measures of statewide significance, he never once relaxed his diligence in the interest of Dallas and his constituents: he deserves full credit for the creation of Southwestern Medical School; in his water legislation, he always made sure that Dallas received a fair share, and more, of the State's water supply; and

Whereas, Many times when various and sundry said of a particularly sticky problem that "It couldn't be done," George Parkhouse did it; this trait he evidenced in his own behalf last summer when the Republicans launched an all-out effort to put a member of that Party in his seat, and those "in the know" said that Parkhouse couldn't make it—"but he did it!"; and

Whereas, This unusual "Man of Distinction" takes great pride in a gruff and cantankerous manner, which fools no one for very long or, if it does, still doesn't detract from the love and affection which he receives from all who know him—even when his bark is the loudest, his bite the sharpest; and

Whereas, The Senate won't be the same without "our George," who says he is definitely retiring at the end of his present term, and his colleagues in the Senate of the State of Texas wish to honor him and demonstrate their great respect for him and his devoted service to the people of Dallas and to all of Texas; now, therefore, be it

Resolved, That the Senate of the State of Texas, by this Resolution, convey its thanks and extend its very best wishes to Senator George Parkhouse, although his colleagues look upon his decision to retire from the Senate with deep sadness and a great sense of loss; and, be it further

Resolved, That, as he returns to his home and private life, the Senate ex-

press deep gratitude for the understanding of his family—his lovely wife, Dora, whom we all know, admire and love; his sons, Jerry and Jack Parkhouse; and the grandchildren, Carolyne, Cathy, Cindy, and Michael—in sharing him and his time so generously with Members of the Senate and in the service of his State; and, be it further

Resolved, That the Senate regrets his decision to retire and is most reluctant to let him go, but hereby extends a standing invitation for him to return to Austin and this Chamber and visit us just as frequently as he has the desire and his family and business interest will permit, and that copies of this Resolution, under the Seal of the Senate, be prepared and furnished our esteemed colleague.

WILSON  
HARDEMAN  
REAGAN  
CREIGHTON

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Grover, Hall, Harrington, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, Moore, Patman, Ratliff, Schwartz, Strong, Wade, Watson, Word.

The resolution was read.

On motion of Senator Herring and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted.

The Members of the Senate gave Senator Parkhouse a standing ovation.

#### Presentation of Guest

The President recognized Senator Aikin and he presented young Robert Aikin, his grandson, who had been named a Mascot of the Senate, to the Members of the Senate.

#### House Bill 134 on Second Reading

The Senate resumed consideration of pending business, same being H. B. No. 134 on its second reading and passage to third reading (the bill having been read second time today).

Question—Shall H. B. No. 134 be passed to third reading?

The bill was passed to third reading.

#### House Bill 134 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended, the President laid H. B. No. 134 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

#### Conference Committee Report on Senate Bill 261

Senator Cole submitted the Conference Committee Report on S. B. No. 261:

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Hon. Ben Barnes, Speaker of The House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 261, have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

COLE  
MOORE  
WATSON  
BROOKS  
JORDAN

On the part of the Senate.

OGG  
HAINES of Brazos  
SALTER  
THOMAS  
MOORE

On the part of the House.

S. B. No. 261,

#### A BILL To Be Entitled

An Act relating to creation of the Fourteenth Supreme Judicial District, with the court to be held in Houston; amending Articles 198 and 1817, Revised Civil Statutes of Texas, 1925, as amended, and Section 2, Chapter 421, Acts of the 55th Legislature, Regular Session,

1957 (Article 1817a, Vernon's Texas Civil Statutes); also adding Brazos County to the First Judicial District; making an appropriation; and declaring an emergency.

#### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Article 198, Revised Civil Statutes of Texas, 1925, as last amended by Section 1, Chapter 357, Acts of the 58th Legislature, 1963, is amended to read as follows:

"Article 198. Supreme Judicial Districts

"This state shall be divided into fourteen (14) Supreme Judicial Districts, composed of the following named counties for the purpose of constituting and organizing a Court of Civil Appeals in each of the several Supreme Judicial Districts, as follows, to wit:

"First: Trinity, Walker, Grimes, Burleson, Washington, Waller, Harris, Chambers, Austin, Brazoria, Fort Bend, Galveston, Colorado and Brazos.

"Second: Wichita, Clay, Montague, Wise, Tarrant, Cooke, Denton, Parker, Archer, Young, Jack and Hood.

"Third: Milam, Lee, Bastrop, Caldwell, Hays, Travis, Williamson, Bell, Burnet, Blanco, Llano, San Saba, Lampasas, Mills, McCulloch, Runnels, Tom Green, Concho, Comal, Fayette, Coke, Sterling, Irion and Schleicher.

"Fourth: Jim Wells, Val Verde, Guadalupe, Sutton, Edwards, Kinney, Maverick, Menard, Kimble, Kerr, Bandera, Uvalde, Zavala, Dimmit, Webb, La Salle, Frio, Medina, Duval, McMullen, Atascosa, Bexar, Kendall, Wilson, Zapata, Karnes, Starr, Jim Hogg, Real, Brooks, Gillespie and Mason.

"Fifth: Grayson, Collin, Dallas, Rockwall, Hunt, Kaufman and Van Zandt.

"Sixth: Fannin, Lamar, Red River, Bowie, Delta, Hopkins, Franklin, Titus, Morris, Cass, Marion, Harrison, Gregg, Camp, Hunt, Wood, Upshur, Rusk and Panola.

"Seventh: Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Parmer, Castro, Swisher, Briscoe, Hall, Childress, Bailey, Lamb, Hale, Floyd,



Motley, Cottle, Foard, Hardeman, Wilbarger, Crosby, Lubbock, Hockley, Cochran, Yoakum, Terry, Lynn, Garza, Dickens, Kent and King.

"Eighth: Crockett, Gaines, Andrews, Martin, Loving, Winkler, Midland, Glasscock, Reeves, Ward, Crane, Upton, Reagan, Terrell, Pecos, Brewster, Presidio, Jeff Davis, El Paso, Ector, Culberson and Hudspeth.

"Ninth: San Jacinto, Montgomery, Liberty, Jefferson, Orange, Hardin, Newton, Jasper, Tyler, Polk and Angelina.

"Tenth: McLennan, Coryell, Hamilton, Bosque, Johnson, Somervell, Falls, Limestone, Hill, Brazos, Madison, Robertson, Ellis, Leon, Freestone and Navarro.

"Eleventh: Dawson, Howard, Mitchell, Scurry, Nolan, Fisher, Stonewall, Taylor, Jones, Haskell, Knox, Callahan, Shackelford, Throckmorton, Baylor, Coleman, Brown, Comanche, Eastland, Stephens, Erath, Palo Pinto and Borden.

"Twelfth: Kaufman, Van Zandt, Rains, Hopkins, Wood, Upshur, Smith, Henderson, Anderson, Houston, Cherokee, Rusk, Nacogdoches, San Augustine, Sabine, Shelby, Panola and Gregg.

"Thirteenth: Lavaca, Wharton, Gonzales, De Witt, Jackson, Matagorda, Victoria, Goliad, Calhoun, Bee, Refugio, Aransas, San Patricio, Nueces, Kleberg, Kenedy, Willacy, Hidalgo, Cameron and Live Oak.

"Fourteenth: Trinity, Walker, Grimes, Burleson, Washington, Waller, Harris, Chambers, Austin, Brazoria, Fort Bend, Galveston, Colorado and Brazos."

Sec. 2. Article 1817, Revised Civil Statutes of Texas, 1925, as last amended by Section 2, Chapter 198, Acts of the 58th Legislature, 1963, is amended to read as follows:

"Article 1817. Location of Courts

"A Court of Civil Appeals shall be held at the following places, respectively:

"1. In the First Supreme Judicial District, in the city of Houston;

"2. In the Second Supreme Judicial District, in the city of Fort Worth;

"3. In the Third Supreme Judicial District in the city of Austin;

"4. In the Fourth Supreme Judicial District, in the city of San Antonio;

"5. In the Fifth Supreme Judicial District, in the City of Dallas;

"6. In the Sixth Supreme Judicial District, in the city of Texarkana;

"7. In the Seventh Supreme Judicial District, in the city of Amarillo;

"8. In the Eighth Supreme Judicial District, in the city of El Paso;

"9. In the Ninth Supreme Judicial District, in the city of Beaumont;

"10. In the Tenth Supreme Judicial District, in the city of Waco;

"11. In the Eleventh Supreme Judicial District, in the city of Eastland;

"12. In the Twelfth Supreme Judicial District, in the city of Tyler;

"13. In the Thirteenth Supreme Judicial District, in the city of Corpus Christi; and

"14. In the Fourteenth Supreme Judicial District, in the city of Houston.

"The cities of Beaumont, Waco, and Eastland, respectively, shall furnish and equip suitable rooms for the respective Courts of Civil Appeals therein, and the justices thereof, and the County of Harris shall furnish and equip suitable rooms in Houston for the Courts of Civil Appeals for the First and Fourteenth Supreme Judicial Districts, and for the justices thereof, all without cost or expense to the state. The city of Tyler and Smith County and the city of Corpus Christi and Nueces County, respectively, shall furnish and equip suitable rooms and a library for the respective Courts of Civil Appeals located therein, and for the justices thereof, all without cost or expense to the state."

Sec. 3. Section 2, Chapter 421, Acts of the 55th Legislature, 1957 (Article 1817a, Vernon's Texas Civil Statutes), is amended to read as follows:

"Article 1817a. FIRST AND FOURTEENTH JUDICIAL DISTRICTS, PLACES WHERE BUSINESS TRANSACTED: DOCKETS EQUALIZED

"From and after the passage of this Act, the Courts of Civil Appeals for the First and the Fourteenth Supreme Judicial Districts may transact their business either at the city of Galveston or the city of Houston, as the court shall determine it necessary and convenient; providing, that all cases originating in Galveston County may be heard and tried in such county. Subject to the provisions of Article 1738, Revised Civil Statutes of Texas, 1925, as amended, the clerks of the

First and the Fourteenth Supreme Judicial Districts shall also from time to time equalize by lot or chance the dockets of the two courts."

Sec. 4. (a) On or before the 10th day after this Act takes effect, the Governor shall, by and with the consent of the Senate if in session, appoint one chief and two associate justices for the Fourteenth Supreme Judicial District.

(b) To be eligible for appointment to the court, a person must possess the qualifications prescribed by Article 1814, Revised Civil Statutes of Texas, 1925.

(c) The justices appointed hold their offices until the next general election at which justices shall be elected and qualify in accordance with Article 1813, Revised Civil Statutes of Texas, 1925, as amended.

Sec. 5. The following sums or as much of them as may be necessary for the objectives and purposes shown are appropriated from the General Revenue Fund for the expenses of the Fourteenth Supreme Judicial District for the fiscal year ending August 31, 1968.

Fourteenth District, Houston	
Personal Services—	
1. Judges, 3 at \$24,000	\$72,000
2. Clerk	10,000
3. Deputy Clerk	5,616
4. Stenographer III	5,616
Subtotal, Personal Services	\$93,232
5. Consumable supplies and materials, current and recurring operating expenses (excluding travel expense), and capital outlay	3,400
Total, Fourteenth District, Houston	<u>\$96,632</u>

Sec. 6. This Act takes effect on September 1, 1967.

Sec. 7. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted.

#### Conference Committee Report on Senate Bill 17

Senator Hazlewood submitted the following Conference Committee Report on S. B. No. 17:

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Hon. Ben Barnes, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 17 have met and had same under consideration and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

HAZLEWOOD  
KENNARD  
CREIGHTON  
WATSON  
SCHWARTZ

On the part of the Senate.

FINNEY  
NUGENT  
SHANNON  
HAND  
MUSGROVE

On the part of the House.

S. B. No. 17,

#### A BILL To Be Entitled

An Act to include lysergic acid diethylamide and other hallucinogens in the list defining "dangerous drugs," and specifying its possession to be an unlawful act; providing that the illegal sale or furnishing of any dangerous drug is unlawful; amending Subsection (a) of Section 2, Subsection (d) of Section 3 and Section 15, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended (Article 726d, Vernon's Texas Penal Code); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Subsection (a) of Section 2, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended by Section 1, Chapter 466,

Acts of the 59th Legislature, Regular Session, 1965 (Article 726d, Vernon's Texas Penal Code), is amended to read as follows:

"(a) The term 'dangerous drug' means any drug unsafe for self-medication, except preparations of drugs defined in Subdivisions (a) (6), (a) (7), (a) (9), and (a) (10) hereof, designed for the purpose of feeding or treating animals (other than man) or poultry, and so labeled, and includes the following:

"(1) Any barbiturate or other hypnotic drug. 'Barbiturate' includes malonylurea derivatives and barbituric acid derivatives. 'Other hypnotic drug' includes chloral, paraldehyde, sulfonmethane derivatives, or any other compounds or mixtures or preparations that may be used for producing hypnotic effects.

"(2) Amphetamine, desoxyephedrine, or compounds, or mixtures thereof, except preparations for use in the nose and unfit for internal use.

"(3) Hallucinogens, including lysergic acid diethylamide, LSD-25, LSD, dimethyltryptamine, psilocybin, bufotenine, peyote, mescaline, and their salts and derivatives, or any compounds, mixtures or preparations which are chemically identical with such substances; provided, however, that the provisions of this subdivision shall not apply to unharvested peyote growing in its natural state.

"(4) Aminopyrine, or compounds or mixtures thereof.

"(5) Cantharidin or a compound related structurally to cantharidin; or cinchophen, neocinchophen, or compounds or mixtures thereof.

"(6) Diethylstilbestrol, or compounds or mixtures thereof.

"(7) Ergot, cotton root, or their contained or derived active compounds or mixtures thereof.

"(8) Oils of croton, rue, savin or tansy or their contained or derived compounds or mixtures thereof.

"(9) Sulfanilamide or substituted sulfanilamides, or compounds or mixtures thereof, except preparations for topical application only containing not more than five percent (5%) strength.

"(10) Thyroid and its contained or derived active compounds or mixtures thereof.

"(11) Phenylhydantoin derivatives.

"(12) Thallium or any compound thereof.

"(13) Any drug which bears the

legend: 'Caution: federal law prohibits dispensing without prescription.'

"(14) Barbiturates or hypnotic drugs when combined and compounded with non-barbiturates or non-hypnotic drugs.

"Provided, however, that preparations which contain certain other drugs not covered by the provisions of this Act, other than those dangerous drugs specified in Section 2(a) (2) through (13) inclusive, in sufficient proportions to confer upon the preparation qualities other than those possessed by the dangerous drugs alone are exempt from the provisions of this Act."

Sec. 2. Subsection (d) of Section 3, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959 (Article 726d, Vernon's Texas Penal Code), is amended to read as follows:

"(d) The possession of a barbiturate or hypnotic drug, as well as those drugs set forth in Section 2(a) (2) and (3) hereof, by any person unless such person obtained the drug under the specific provision of Section 3(a) (1) and (2) of this Act and possesses the drug in the container in which it was delivered to him by the pharmacist or practitioner selling or dispensing the same; and any other possession of a barbiturate or hypnotic drug, as well as those drugs set forth in Section 2(a) (2) and (3) hereof, shall be prima facie evidence of illegal possession."

Sec. 3. Section 15, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959 (Article 726d, Vernon's Texas Penal Code) is amended to read hereafter as follows:

"Section 15. (a) Any person, firm or corporation possessing in violation of Section 3 of this Act any dangerous drug defined in Subdivisions 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12 or 13 of Section 2(a) of this Act shall be fined an amount not to exceed Three Thousand Dollars (\$3,000) or confined in jail for a period of not less than thirty (30) days nor more than two (2) years, or by both such fine and imprisonment. For any second or subsequent violation, any person shall be confined in the penitentiary not less than two (2) years nor more than ten (10) years.

(b) Any person, firm or corporation possessing in violation of Section 3 of this Act any dangerous drug defined

in Subdivision 3 of Section 2(a) of this Act shall be fined an amount not to exceed Three Thousand Dollars (\$3,000) or confined in jail for a period of not less than thirty (30) days nor more than one (1) year, or by both such fine and imprisonment.

(c) Any person who sells, delivers or manufactures any dangerous drug defined in Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 or 13 of Section 2(a) in violation of this Act, shall be guilty of a felony and upon conviction is punishable by confinement in the penitentiary for not less than two (2) nor more than ten (10) years."

Sec. 4. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and the Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted.

#### Senate Resolution 776

Senator Strong offered the following resolution:

Whereas, The State of Texas has been blessed for many years with the finest Highway Department of any State in the United States; and

Whereas, The unmatched accomplishments of this Department are the result of a large group of extremely dedicated, hard-working and conscientious employees; and

Whereas, The salaries of the hourly employees of the Highway Department are fixed by the Highway Commissioners and through their permission by the district engineers of the various Highway districts; and

Whereas, It is the concerted wisdom of the Senate of Texas that the lowest paid employees of the Texas Highway Department should make not less than the \$1.60 per hour which is the federal minimum wage; now therefore be it

Resolved by the Senate of the State of Texas, That it request the Highway Department of Texas to establish a pay scale of not less than \$1.60 per hour for the lowest paid of its hourly workers and that the wages of the

other hourly workers shall be increased to correspond with such base wage.

**STRONG  
AIKIN**

The resolution was read and was adopted.

#### House Concurrent Resolution 117 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 117, Creating the Oyster and Shellfish Committee.

The resolution was read.

On motion of Senator Schwartz, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Presentation of Governor Connally

The President recognized Senator Aikin, and he noted the presence in the Senate of The Honorable John Connally, Governor of the State of Texas, and requested that he be asked to address the Senate.

The President presented Governor Connally to the Senate.

Governor Connally addressed the Senate, thanking the Members for the opportunity of addressing a few remarks to the Senate.

At the conclusion of the address, Governor Connally was given a standing ovation by the Members of the Senate.

#### Senate Bill 552 With House Amendment

Senator Blanchard called S. B. No. 552 from the President's Table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

#### Committee Amendment 1

Amend S. B. No. 552 in the following respects:

a. Delete the word and figure "fifty (50)" appearing on line 43 of page 1 of the printed bill and substitute therefor the words and figures "one hundred (100)".

b. Delete lines 28 and 29 of page 2 of the printed bill and substitute therefor the following: "If the proposition to create the Martin County Hospital District fails to carry at the election, no other election for the same purpose may be held within one year after the result of the election is announced officially."

c. Add, after the word "condemnation" and before the semi-colon appearing on line 1 of page 4 of the printed bill the following: "by counties."

d. Delete the word "guardians" appearing on line 21 of page 7 of the printed bill.

The House amendment was read.

Senator Blanchard moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hall	Strong
Hardeman	Wade
Harrington	Watson
Hazlewood	Wilson
Herring	Word

Absent—Excused

Bates

Recess

On motion of Senator Aikin the Senate at 5:58 o'clock p.m. took recess until 8:30 o'clock p.m. today.

After Recess

The President called the Senate to order at 8:30 o'clock p.m. today.

Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled resolutions:

S. C. R. No. 47, Granting J. C. Evans and George Evans permission to sue the State.

S. C. R. No. 19, Granting Walter G. Schwarz permission to sue the State.

S. C. R. No. 92, Relating to the importation and control of textile products.

S. C. R. No. 94, Requesting House of Representatives to return H. B. No. 363 for further consideration.

S. C. R. No. 95, Commending the Texas Legislative Service.

S. C. R. No. 29, Granting Willard Barnett, Jr., permission to sue the State of Texas.

At Ease

On motion of Senator Aikin, and by unanimous consent, the Senate agreed to Stand at Ease from 8:45 o'clock p.m. until 9:25 o'clock p.m.

In Legislative Session

The President called the Senate to order as In Legislative Session at 9:25 o'clock p.m.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

H. C. R. No. 154, Granting McCarty-Connally Company permission to sue The University of Texas.

H. C. R. No. 145, Requesting the Coordinating Board, Texas College and University System to make a study of the doctoral degree needs of the East Texas area.

H. C. R. No. 143, Creating joint Interim Highway Safety Study Committee.

H. C. R. No. 140, Granting George Truett Wilson permission to sue the State.

H. C. R. No. 129, Creating a special interim committee.

H. C. R. No. 114, Granting permission to Leonard Milstead to sue the State.

H. C. R. No. 110, Granting Tilford Edwards, et al., permission to sue the State.

H. C. R. No. 164, Directing the Engrossing and Enrolling Clerk of the Senate to make certain corrections in S. B. No. 28 and S. B. No. 29.

H. C. R. No. 118, Granting permission to A. T. Wainscott and wife, Nancy Wainscott, to sue the State of Texas and the Texas Highway Department.

H. C. R. No. 159, Requesting permission to sue the State of Texas.

H. C. R. No. 169, Authorizing Engrossing and Enrolling Clerk to correct a House amendment to S. B. No. 174.

H. C. R. No. 167, Urging the executive and legislative branches of the United States Government to recognize the immediate urgency of the textile imports situation.

H. B. No. 966, A bill to be entitled "An Act relating to burial associations incorporated before 1905, etc., and declaring an emergency."

H. B. No. 266, A bill to be entitled "An Act providing for the establishment of family district courts in Dallas and Harris Counties, etc., and declaring an emergency."

H. B. No. 1217, A bill to be entitled "An Act extending workmen's compensation insurance to employees of certain drainage districts, etc., and declaring an emergency."

H. B. No. 1190, A bill to be entitled "An Act relating to workmen's compensation and other coverage for employees of highway subcontractors, etc., and declaring an emergency."

H. B. No. 1074, A bill to be entitled "An Act relating to examination and confinement of dangerous alcoholics, etc., and declaring an emergency."

H. B. No. 1020, A bill to be entitled "An Act relating to creation of three semester and quarterly semester school pilot programs, etc., and declaring an emergency."

H. J. R. No. 3, Proposing an amendment to Section 9, Article VIII, Constitution of the State of Texas,

to provide that counties of over 500,000 population may put all county taxes, except the additional road maintenance tax, into one general fund, without regard to the source or purpose of each tax.

H. J. R. No. 27, Proposing an amendment to Section 33, Article XVI, Constitution of the State of Texas, to allow State officers and employees to hold, under given conditions, other offices and positions under this State or the United States.

H. B. No. 570, A bill to be entitled "An Act relating to qualifications for retirement of judges, and retirement, disability, and other benefits payable to judges or their beneficiaries; amending Section 2, Chapter 99, Acts of the 51st Legislature, Regular Session, 1949, as amended (Section 2, Article 6228b, Vernon's Texas Civil Statutes); providing an effective date; providing a severability clause; and declaring an emergency."

H. B. No. 486, A bill to be entitled "An Act establishing the Mountain Creek Lake State Park and providing for its development, operation, and maintenance; providing for acquisition of land and interests in land; making an appropriation; and declaring an emergency."

H. B. No. 166, A bill to be entitled "An Act defining certain words and terms as used herein; requiring that school districts of this State, as herein defined, employ teachers by probationary contract or by continuing contract as herein defined, etc., and declaring an emergency."

H. B. No. 901, A bill to be entitled "An Act concerning the designation of trustee to receive proceeds of life insurance policies; adding a new Article 3.49-3 to the Texas Insurance Code; providing for a saving clause; providing for a severability clause; providing for an effective date; and declaring an emergency."

H. B. No. 867, A bill to be entitled "An Act relating to the certification and regulation of shorthand reporters; providing penalties for violation; amending Article 2321, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

H. B. No. 794, A bill to be entitled "An Act to provide that any person

certified to teach in the public schools of Texas who holds a bachelor of laws degree shall have his minimum salary calculated on the basis of a master's degree; and declaring an emergency."

H. B. No. 1117, A bill to be entitled "An Act relating to employment of an executive secretary by the State Board of Examiners in the Basic Sciences; providing for his compensation, expenses, bond, term and duties; amending Chapter 95, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 4590c, Vernon's Texas Civil Statutes, by adding Section 4a, and declaring an emergency."

H. B. No. 1064, A bill to be entitled "An Act prohibiting the use of certain shrimp trawls in the shrimp nursery grounds of Harris, Chambers and Galveston Counties; providing a penalty; and declaring an emergency."

#### House Concurrent Resolution 171 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 171, Authorizing the Engrossing and Enrolling Clerk to make certain corrections in H. B. No. 428.

The resolution was read.

By unanimous consent, the resolution was considered immediately and was adopted.

#### At Ease

On motion of Senator Aikin, and by unanimous consent, the Senate, at 9:35 o'clock p.m. agreed to stand At Ease until 10:00 o'clock p.m. today.

#### In Legislative Session

The President called the Senate to order as In Legislative Session at 10:00 o'clock p.m. today.

#### Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills:

S. B. No. 174, A bill to be entitled "An Act to amend Chapter Three of the Insurance Code (Acts 1951, 52nd Legislature, Chapter 491, as amended) by adding thereto a new Article to be designated Art. 3.40-1; providing that notwithstanding the provisions of Art. 3.40 of such Code any domestic life insurance company may invest any of its funds in income producing real estate and may hold, improve, develop, maintain, manage, lease, sell or convey such property subject to specified terms, limitations, and restrictions; etc., and declaring an emergency."

S. B. No. 624, A bill to be entitled "An Act creating a conservation and reclamation district known as "Sweetwater Lake Municipal Utility District of Galveston County," etc., and declaring an emergency."

S. B. No. 627, A bill to be entitled "An Act creating the Spanish Grant Municipal Utility District, etc., and declaring an emergency."

S. B. No. 133, A bill to be entitled "An Act amending Chapter 388, Acts of the 55th Legislature, Regular Session, 1957 (Article 1513a, Vernon's Texas Civil Statutes), to provide that corporations authorized under that Act are subject to supervision by the Banking Commissioner of Texas and to specify the procedure, terms, and extent of such supervision, and penalties for noncompliance; repealing Chapter 165, General Laws, Acts of the 42nd Legislature, Regular Session, 1931 (Article 1524a, Vernon's Texas Civil Statutes); providing a severability clause; and declaring an emergency."

S. B. No. 610, A bill to be entitled "An Act creating the Staffordshire Utility District of Fort Bend County, etc., and declaring an emergency."

S. B. No. 364, A bill to be entitled "An Act relating to the appointment of public weighers; amending Articles 5681, 5683, 5685, 5687, 5692, and 5702, Revised Civil Statutes of Texas, 1925, as amended, and repealing Article 5682; and declaring an emergency."

S. B. No. 500, A bill to be entitled

"An Act amending Article 952-L-12, Penal Code of Texas, 1925, to add Twin Lakes, Cedar Lake, Swan Lake, Panther Point Lake, Cottonwood Bayou, and Shell Reef Bayou to protected waters in Calhoun County; and declaring an emergency."

S. B. No. 431, A bill to be entitled "An Act exempting those with a family income of not more than \$4,800 from payment of tuition and fees at collegiate rank institutions, etc., and declaring an emergency."

S. B. No. 200, A bill to be entitled "An Act making supplemental appropriation to the Comptroller of Public Accounts, repealing laws in conflict; and declaring an emergency."

S. B. No. 307, A bill to be entitled "An Act amending Chapter 101, Acts of the 59th Legislature with reference to the funds from which bonds are to be paid and with reference to the investment of funds and the use of income from investments; and declaring an emergency."

S. B. No. 528, A bill to be entitled "An Act amending Article 14.015 of Chapter 14, Title 122A, 'Taxation-General,' Revised Civil Statutes of Texas (1925), as amended, by adding a new subsection (4) which exempts from the Texas Inheritance Tax the value of an annuity or other payment received by a named beneficiary which qualifies for exemption from the Federal Estate Tax under Subsection (c) of Section 2039 of the Internal Revenue Code of 1954, as now or hereafter amended; and declaring an emergency."

S. B. No. 531, A bill to be entitled "An Act repealing the Stock Transfer Tax levied by Chapter 16 of Title 122A, 'Taxation-General,' Revised Civil Statutes (1925), as amended; fixing an effective date; and declaring an emergency."

S. B. No. 527, A bill to be entitled "An Act amending Article 1419 of Chapter 14, Title 122A, 'Taxation-General,' Revised Civil Statutes of Texas (1925), as amended, by adding a new Subdivision (C) thereto which provides that the inheritance tax lien shall not attach to stock in a corporation incorporated and existing under the laws of the State of Texas that is owned by a non-resident decedent

or his estate, and that such stock may be transferred without obtaining an authorization for transfer and release of lien from the Comptroller of Public Accounts; and declaring an emergency."

S. B. No. 615, A bill to be entitled "An Act to amend Section 3, Chapter 519, Acts of the 59th Legislature, Regular Session, 1965; and declaring an emergency."

S. J. R. No. 41, Proposing an amendment to Section 51a, Article III, Constitution of the State of Texas, to increase the amount of money which may be spent for old age assistance and other welfare programs."

#### At Ease

On motion of Senator Aikin, and by unanimous consent, the Senate at 10:04 o'clock p.m. agreed to Stand at Ease until 10:30 o'clock p.m.

#### In Legislative Session

The President called the Senate to order as In Legislative Session at 10:30 o'clock p.m. today.

#### Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. C. R. No. 117, Creating the Oyster and Shellfish Study Committee.

H. C. R. No. 171, Authorizing the Engrossing and Enrolling Clerk to make certain corrections in the Conference Committee report on H. B. No. 428.

H. B. No. 428, A bill to be entitled, "An Act relating to exemption from Jury Service, etc., and declaring an emergency."

H. B. No. 273, A bill to be entitled, "An Act relating to the practice of barbering in this State, etc., and declaring an emergency."

H. B. No. 741, A bill to be entitled "An Act relating to reciprocal hunting and fishing privileges between Texas residents and residents of other states; etc., and declaring an emergency."



H. B. No. 134, A bill to be entitled "An Act relieving county assessors and collectors from liability for civil damages for acts performed in the exercise of their official functions, etc., and declaring an emergency."

H. B. No. 1265, A bill to be entitled "An Act relating to the salaries and duties of district attorneys and assistant district attorneys, etc., and declaring an emergency."

Signed, subject to the provisions of Section 49A, Article III of the Constitution of the State of Texas.

#### Conference Committee Report on Senate Bill 567

The Senate resumed consideration of the pending business, same being the Conference Committee Report on S. B. No. 567.

Question—Shall the Conference Committee Report on S. B. No. 567 be adopted?

#### At Ease

On motion of Senator Aikin, and by unanimous consent the Senate at 10:32 o'clock p.m. agreed to Stand at Ease until 11:00 o'clock p.m.

#### In Legislative Session

The President called the Senate to order as In Legislative Session at 11:00 o'clock p.m.

#### Senate Concurrent Resolution 85 With House Amendment

Senator Herring called S. C. R. No. 85 from the President's Table for consideration of the House amendment to the resolution.

The President laid the resolution and the following House amendment before the Senate:

#### Committee Amendment 1

Amend S. C. R. No. 85 by striking the third resolving clause and substituting therefor the following:

Resolved, That the Engrossing and Enrolling Clerk of the Senate be and is hereby directed to correct the enrolled copy of Senate Bill No. 502 by adding the words ", supervisory personnel," after the words "narcotic section" and before the word "and" in Section 1 of said bill, and by adding

after the phrase "as prescribed herein" and before the words "and whoever drives any automobile," and following "provided that all automobiles of the Texas Department of Public Safety except those used by supervisory personnel, shall be painted two-tone black and white," in said Section 1.

The House Amendment was read.

Senator Herring moved that the Senate concur in the House amendment.

The motion prevailed.

#### Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

S. B. No. 17, A bill to be entitled "An Act amending Statutes, further defining 'dangerous drugs' by adding subsection (14), and declaring an emergency."

S. B. No. 28, A bill to be entitled "An Act authorizing the Central Education Agency to establish a special program for preschool children who have language and learning disorders and providing for the method of financing the program; and declaring an emergency."

S. B. No. 29, A bill to be entitled "An Act amending Paragraph a, Subsection (4), Section 1, Article III, Chapter 334, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 2922-13, Vernon's Texas Civil Statutes), by redefining the term 'exceptional children' to include language handicapped children; defining 'language handicapped children'; and declaring an emergency."

S. B. No. 182, A bill to be entitled "An Act amending Article 5434, Revised Civil Statutes of Texas, 1925, as amended, to allow the per diem of the Library and Historical Commission to be set out in the General Appropriations Act; and declaring an emergency."

S. B. No. 261, A bill to be entitled "An Act relating to creation of the Fourteenth Supreme Judicial District, with the court to be held in Houston; amending Articles 198 and 1817,

Revised Civil Statutes of Texas, 1925, as amended, and Section 2, Chapter 421, Acts of the 55th Legislature, Regular Session, 1957 (Article 1817a, Vernon's Texas Civil Statutes); and declaring an emergency."

S. B. No. 295, A bill to be entitled "An Act to be referred to for all purposes as 'The Uniform Wildlife Regulatory Act' conferring on the Parks and Wildlife Commission of Texas the authority, power and duty of protecting and regulating the harvest of wildlife resources in various Counties; etc., and declaring an emergency."

S. B. No. 552, A bill to be entitled "An Act relating to the creation, administration, powers, duties, and financing of the Martin County Hospital District comprising all of Martin County, Texas; and declaring an emergency."

S. B. No. 581, A bill to be entitled "An Act creating the Texas Toll Bridge Authority and prescribing its membership, organization, powers, and duties; etc., and declaring an emergency."

S. B. No. 614, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'Galveston Island Ranches Municipal Utility District of Galveston County, Texas; etc., and declaring an emergency."

S. J. R. No. 6, Proposing an Amendment to the Constitution of the State of Texas authorizing each county in the State of Texas to pay all medical expenses, all doctor bills and all hospital bills for Sheriffs, Deputy Sheriffs, Constables, Deputy Constables and other county and precinct law enforcement officials who are injured in the course of their official duties.

S. C. R. No. 85, Recalling S. B. No. 502 from Governor's Office.

#### House Concurrent Resolution 168 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 168, Providing for the sine die adjournment of the 60th

Legislature at 6:00 o'clock p.m., Monday, May 29, 1967.

The resolution was read.

Senator Aikin offered the following amendment to the resolution:

Amend H. C. R. No. 168 by striking out 6:00 p.m. wherever it appears and insert in lieu thereof 11:45 p.m.

The amendment was read and was adopted.

The resolution as amended was then adopted.

#### Motion in Writing

Senator Aikin submitted the following Motion in Writing:

Mr. President: I move that the President be authorized to appoint a committee of five (5) members to notify the House of Representatives that the Senate has completed its labors and is ready to adjourn sine die.

AIKIN

The Motion in Writing was read and was adopted.

The President announced the following as a committee to notify the House: Senators Aikin, Brooks, Patman, Schwartz and Herring.

#### Motion in Writing

Senator Aikin submitted the following Motion in Writing:

Mr. President: I move that the President be authorized to appoint a committee of five (5) members to notify the Governor that the Senate has completed its labors and is ready to adjourn sine die.

AIKIN

The Motion in Writing was read and was adopted.

The President announced the appointment of the following as a committee to notify the Governor: Senators Hall, Word, Connally, Mauzy and Reagan.

#### Governor Notified

The committee to notify the Governor that the Senate was ready to

adjourn since die appeared at the Bar of the Senate and Senator Hall for the committee reported that the committee had performed the duty assigned it.

#### House Notified

The committee to notify the House of Representatives that the Senate was ready to adjourn sine die appeared at the Bar of the Senate and Senator Aikin for the committee reported that the committee had performed the duty assigned it.

#### Senate Notified

A committee from the House of Representatives appeared at the Bar of the Senate and Mr. Jones for the committee notified the Senate that the House was ready to adjourn sine die.

#### Adjournment Sine Die

The President announced that the hour for final adjournment of the Regular Session of the Sixtieth Legislature had arrived.

Senator Jordan moved that the Senate of the Sixtieth Legislature stand adjourned sine die.

The motion prevailed and the President declared the Regular Session of the Sixtieth Legislature adjourned sine die at 11:45 o'clock p.m.

#### Memorial Resolutions

S. R. No. 772—By Senator Hazlewood: Memorial resolution for Robert E. Underwood.

S. R. No. 775—By Senator Watson: Memorial resolution for Dr. A. C. Bennett.

#### Welcome and Congratulatory Resolutions

S. R. No. 755—By Senator Watson: Extending welcome to Oscar Larnell.

S. R. No. 756—By Senator Cole: Extending welcome to Judge William M. Hatten and sons, Ricci and Billy.

S. R. No. 757—By Senators Parkhouse and Wade: Extending welcome to teachers and members of Girl Scout Troop 105 from Mary Immaculate School of Farmers Branch.

S. R. No. 759—By Senators Mauzy and Kennard: Extending welcome to

Dr. Harold Hollingsworth and Jeff Johns.

S. R. No. 761—By Senator Herring: Extending appreciation to Royce J. Hailey, Jr.

S. R. No. 762—By Senator Hall: Extending welcome and privileges of the floor for the day to Judge Cooper Blankenship and The Honorable John Burnett.

S. R. No. 764—By Senator Word: Extending welcome to teacher and members of F. H. A. Club of Godley High School.

S. R. No. 765—By Senator Hall: Extending appreciation to Faythe Ann Blake.

S. R. No. 766—By Senator Hall: Extending appreciation to Donna Andrews.

S. R. No. 768—By Senator Hardeman: Extending appreciation to Leslie R. Seeligson.

S. R. No. 769—By Senator Grover: Extending congratulations to Mr. and Mrs. William A. Harrison.

### APPENDIX

#### Reports of Standing Committee

Senator Hardeman submitted the following reports:

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 459, "An Act amending Sections 9-302, 9-401, 9-402, 9-403, and 10-102 of Chapter 721, Acts of 59th Legislature, Regular Session, 1965 (Uniform Commercial Code) and Section 1 of Chapter 195, Acts, 52nd Legislature, 1951, as amended by Section 10-104(4) of Chapter 721, Acts of 59th Legislature, Regular Session, 1965; and declaring an emergency." has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 546, "An Act amending Chapter III, Article 12, being a part of the Texas Banking Code of 1943, the same being Chapter 97, Acts of the 48th Legislature, Regular Session, 1943; and adding a new Section to Chapter III, as amended, to be known as Article 14; authorizing stock option plans for state banks, with certain restrictions; providing for perpetual or limited corporate existence for state banks; providing that amendments to Articles of Association of State Banks changing the domicile of any state bank shall be approved by the State Banking Board and further providing that no state bank shall hereafter move its domicile without prior approval of the State Banking Board; providing a savings clause; providing for severability; providing that all laws or parts of laws which are in conflict with this Act are repealed or modified to the extent of such conflict only; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 547, "An Act relating to the compensation of assistants, investigators, and stenographers of the district attorney of the 142nd Judicial District; to the supplementary salary of the district attorney for the 142nd Judicial District; amending Sections 2, 3, and 8, Chapter 394, Acts of the 56th Legislature, Regular Session, 1959 (Article 326k-30a, Vernon's Texas Civil Statutes); repealing Section 2, Chapter 398, Acts of the 54th Legislature, Regular Session, 1955 (Article 326k-35, Vernon's Texas Civil Statutes); and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 294, "An Act amending Paragraph (b) of Subsection (3) of Section 1 of Article 3.50 of the Insurance Code and amending Subsection (a) of Section 1 of Article 3.51 of the Insurance Code to permit the expenditure of state funds to pay all or any portion of the premiums for certain group insurance contracts covering employees of the state; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 184, "An Act to amend Acts of the 53rd Legislature, Regular Session, 1953, Chapter 342, codified in Vernon's as Article 7465a, Vernon's Civil Statutes, as amended, relating to the regulation of the practice of veterinary medicine; providing for an increase in the per diem compensation of Board members; providing for the revocation or suspension of licenses or refusal of a license to any individual convicted of a felony under the laws of this or any other state of the United States or of the United States; providing that on August 31st of each year, all money in excess of Forty Thousand Dollars (\$40,000) remaining in the "Veterinary Fund" shall revert to the General Revenue Fund of the State Treasury; providing a severability clause; providing for the repeal of laws in conflict herewith; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 106, "An Act amending Section 2 of Article II, Senate Bill No. 116, Chapter 334, Acts 51st Legislature, Regular Session, 1949 (compiled as Article 2922-12, Section 2, Vernon's Texas Civil Statutes), to include psychologists and psychometrists in the list or designations of special service teachers to assist eligible school districts in providing essential services for identification and evaluation of pupils assigned to special education classes; amending Subsection (3) of Section 1 of Article III, Senate Bill No. 116, Chapter 334, supra (compiled as Article 2922-13, Section 1, Subsection (3), Vernon's Texas Civil Statutes), to provide the formula for allotment of special service teacher units necessitated by the enlarged changes in the list of special service teachers; providing for an effective date of this Act; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 612, "An Act providing for a Court of Domestic Relations in and for Dallas County to be known as Court of Domestic Relations No. 3 of Dallas County; setting the qualifications of the judge; setting the salary of the judge; providing for appointment, term of office, vacancies, disqualification; setting jurisdiction of said court; providing for a transfer of cases; making it a court of record, and providing for keeping of dockets; providing for duties of Probation Department, sheriff and constables for said court; setting the terms of the court; providing for judge of said court to be a member of the Juvenile Board; providing for a court reporter, bailiff and clerk; providing for services of a sheriff; providing for appeal from said court; providing that practice and procedure shall be same as any other district

courts; providing a severance clause; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 617, "An Act creating the Court of Domestic Relations No. 5 for Harris County; providing for the court's jurisdiction, terms, personnel, administration and practice; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 599, "An Act relating to the selection of directors for water control and improvement districts in certain counties; amending Chapter 25, General Laws, Acts of the 39th Legislature, Regular Session, 1925, as amended; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 521, "An Act to protect the blind and incapacitated pedestrians on public streets and highways; requiring vehicles to come to a full stop in certain cases; restricting the use of certain colored canes by other pedestrians; and imposing penalties; amending Section 1, Chapter 76, Acts of the 52nd Legislature,

Regular Session, 1951; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 458, "An Act providing for the regulation of weather modification operations; providing for the powers and duties of the Texas Water Development Board in weather modification operations; providing for the issuing of licenses and permits; providing fees and penalties; and defining terms; relating to cooperative agreements for weather modification and cloud seedings; providing other matters properly relating thereto; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 15, General Appropriation Bill

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 578, "An Act providing for election by place of drainage commissioners in certain drainage districts; amending the Revised Civil Statutes of Texas, 1925, by adding Article 8119a; providing a severability clause; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 577, "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'West End Municipal Utility District of Galveston County, Texas'; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions that its bonds are legal and authorized investments; providing for selection of a depository; adopting the ad valorem basis of taxation; providing a procedure to change its name; requiring the District to establish an office; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 575, "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'Dolphin Beach Municipal Utility District of Galveston County, Texas'; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions that its bonds are legal and authorized investments; providing for selection of a depository; adopting the ad valorem basis of taxation; providing a procedure to change its name; requiring the District to establish an office; containing other provisions relating to the subject; providing a severa-

bility clause; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 609, "An Act to amend Sections 3 and 5, Chapter 533, Acts of the 59th Legislature, Regular Session, 1965, to give Folletts Island Water Supply District the power of eminent domain outside of the District but within Galveston and Brazoria Counties; to restrict the powers of the District to the sale and distribution of water; to allow the District to annex land as provided by the General Laws; to allow annexed land to assume the voted but unissued bonds of the District; reciting proof of publication of Constitutional notice; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 576, "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as 'League Land Municipal Utility District of Galveston County, Texas'; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions that its bonds are legal and authorized investments; providing for selection of a depository; adopting the ad valorem basis of taxation; providing a procedure to change its name; requiring the District to establish an office; con-

taining other provisions relating to the subject; providing a severability clause; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 18, "An Act exempting certain veterans of the Cold War and certain survivors from dues, fees, and charges at certain institutions of collegiate rank; amending Chapter 6, Acts of the 43rd Legislature, 1st Called Session, 1933, as amended (Article 2654b-1, Vernon's Texas Civil Statutes); and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 214, "An Act amending Chapter 512, Acts of the 54th Legislature, Regular Session, 1955, as amended (Article 548b, Vernon's Texas Civil Statutes), relating to the sale of prearranged or prepaid funeral services to be delivered at an undetermined future date dependent upon death of the contracting party; providing for the handling and disposition of money collected or paid under such contract, interest accruing thereon, and enhancement thereof; providing for the administration of the Act under the State Banking Department; prescribing certain offenses and fixing the penalty therefor; providing for quo warranto proceedings; providing nothing in the Act shall alter or affect any provisions of the Insurance Code of the State of Texas; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 237, "An Act to establish the Texas Air Control Board, prescribe its powers, duties, functions, and procedures, and to provide for the establishment of standards of air quality and the control, prevention, and abatement of air pollution; validating actions of the Texas Air Control Board created by Chapter 687, Acts of the 59th Legislature, Regular Session, 1965 (Article 4477-4, Vernon's Texas Civil Statutes); providing penalties; repealing Chapter 687, Acts of the 59th Legislature, Regular Session, 1965 (Article 4477-4, Vernon's Texas Civil Statutes); and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 16, "An Act to amend Section 1 of Article IV, and Sections 2 and 4 of Article VI, Senate Bill No. 116, Chapter 334, 51st Legislature, Regular Session, 1949, as last amended by Senate Bill No. 4, Chapter 438, Acts 59th Legislature, 1965, so as to improve the minimum teacher salary schedule in the Foundation Program Act; providing for the local fund assignment for the school year 1967-68 on a specific basis, thereafter to be determined on a prescribed formula; making appropriations; providing a savings and severability clause; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-

grossed and Enrolled Bills, to which was referred:

S. B. No. 63, "An Act to amend Article I, Section 3, Membership, Subsection A, Paragraph 3; Section 4, Creditable Service, Subsection G, Military Service; Section 5, Benefits, Subsection B, Allowance for Service Retirement, Paragraph 1; Subsection C, Disability Retirement Benefits for Appointive Officers or Employees, Paragraphs 2, 3, and 6; Subsection D, Service Retirement Allowance, Paragraph 1; Subsection E, Return of Accumulated Contributions, Paragraph 2, 3, 5 and 6; Section 7, Management of Funds, Subsection B; Section 8, Method of Financing, Subsection A, Paragraph 5 (a and b); Section 12, Amount of Benefits; Creditable Service, Subsections A, B, C, and D of H. B. 902, Regular Session, 58th Legislature; providing an effective date; repealing laws in conflict herewith; providing a savings clause; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 598, "An Act providing for an expression of public opinion on the question of legalized parimutual wagering on horse races in Texas; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 628, "An Act appropriating Two Hundred Thousand Dollars to the Senate for per diem, other salaries and wages, consumable supplies and materials, current and recurring operating expenses, capital outlay, repairs and renovations to Capitol, other necessary expenses for the pe-



riod ending August 31, 1967; and declaring an emergency." has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. J. R. No. 41, A Joint Resolution Proposing an Amendment to the Constitution of the State of Texas, amending Section 51-a of Article III by raising the limit on the amount that may be expended in any one year out of state funds for Public Assistance payments only to Seventy-five Million Dollars (\$75,000,000); providing for the necessary election, form of ballot, proclamation, and publication.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 615, "An Act relating to the Board of Directors of the 'Gulf Freeway Municipal Utility District of Galveston County, Texas'; amending Section 4, Chapter 519, Acts of the 59th Legislature, Regular Session, 1965; and declaring an emergency." has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 527, An Act amending Article 14.19 of Chapter 14, Title 122A, 'Taxation - General,' Revised Civil Statutes of Texas (1925), as amended, by adding a new Subdivision (C) thereto which provides that the inheritance tax lien shall not at-

tach to stock in a corporation incorporated and existing under the laws of the State of Texas that is owned by a non-resident decedent or his estate, and that such stock may be transferred without obtaining an authorization for transfer and release of lien from the Comptroller of Public Accounts; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 531, "An Act repealing the Stock Transfer Tax levied by Chapter 16 of Title 122A, 'Taxation-General,' Revised Civil Statutes (1925), as amended; fixing an effective date; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 528, "An Act amending Article 14.015 of Chapter 14, Title 122A, 'Taxation - General,' Revised Civil Statutes of Texas (1925), as amended by adding a new Subsection (4) which exempts from the Texas Inheritance Tax the value of an annuity or other payment received by a named beneficiary which qualifies for exemption from the Federal Estate Tax under Subsection (c) of Section 2039 of the Internal Revenue Code of 1954, as now or hereafter amended; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 307, "An Act amending Chapter 101, Acts of the 59th Legislature with reference to the funds from which bonds are to be paid and with reference to the investment of funds and the use of income from investments; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 200, "An Act making supplemental appropriation to the Comptroller of Public Accounts; repealing laws in conflict; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 431, "An Act exempting citizens of Texas with a family income of not more than \$4,800.00 from the payment of tuition and fees at institutions of collegiate rank and providing qualifications and requirements for eligibility; providing a method of administration; providing an appropriation; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 500, An Act relating to

methods of fishing and possession of certain devices in certain waters of Calhoun County; amending Sections 1 and 2, Chapter 230, Acts of the 58th Legislature, 1963 (Article 952L-12, Vernon's Texas Penal Code); and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 364, An Act relating to the appointment of public weighers; amending Articles 5681, 5683, 5685, 5687, 5692, and 5702, Revised Civil Statutes of Texas, 1925, as amended, and repealing Article 5682; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 610, An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Staffordshire Municipal Utility District of Fort Bend County, Texas"; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions that its bonds are legal and authorized investments; providing for selection of a depository; adopting the ad valorem basis of taxation; providing a procedure to change its name; requiring the District to establish an office; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 133, An Act amending Chapter 388, Acts of the 55th Legislature, Regular Session, 1957 (Article 1513a, Vernon's Texas Civil Statutes), to provide that corporations authorized under that Act are subject to supervision by the Banking Commissioner of Texas and to specify the procedures, terms, and extent of such supervision, and penalties for non-compliance; repealing Chapter 165, General Laws, Acts of the 42nd Legislature, Regular Session, 1931 (Article 1524a, Vernon's Texas Civil Statutes); providing a severability clause; and declaring an emergency. has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 627, An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Spanish Grant Municipal Utility District of Galveston County, Texas"; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions that its bonds are legal and authorized investments; providing for selection of a depository; adopting the ad valorem basis of taxation; providing a procedure to change its name; requiring the District to establish an office; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency. has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 624, An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Sweetwater Lake Municipal Utility District of Galveston County, Texas"; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions that its bonds are legal and authorized investments; providing for selection of a depository; adopting the ad valorem basis of taxation; providing a procedure to change its name; requiring the District to establish an office; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 174, An Act to amend Chapter Three of the Insurance Code (Acts 1951, 52nd Legislature, Chapter 491, as amended) by adding thereto a new Article to be designated Article 3.40-1; providing that notwithstanding the provisions of Article 3.40 of such Code any domestic life insurance company may invest any of its funds in improved income producing real estate and may hold, improve, maintain, manage, lease, sell or convey such property subject to specified terms, limitations, and restrictions; defining the term "improved income producing real estate"; limiting the amount of admitted assets which may be so invested and providing for valuation thereof; providing that the investment author-

ity granted by this Act is in addition to and separate and apart from the investment authority granted by Article 3.40 except for the limitations of Subdivision 1(b) thereof; providing that the investments so made shall not be "Texas Securities"; providing that nothing contained in this Article shall permit such a life insurance company to purchase undeveloped real estate for the purpose of development or subdivision; regulating the percentage of admitted assets which may be so invested in any one year during the first seven years after the effective date of this Act; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 552, An Act relating to the creation, administration, powers, duties, and financing of the Martin County Hospital District comprising all of Martin County, Texas; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 581, An Act creating the Texas Toll Bridge Authority and prescribing its membership, organization, powers, and duties; providing for financing of toll bridge projects; authorizing a certain toll bridge project; providing for incorporation of toll bridge projects into the State Highway System; making other provisions related to the subject of this legislation; prescribing certain penalties; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 261, An Act relating to creation of the Fourteenth Supreme Judicial District, with the court to be held in Houston; amending Articles 198 and 1817, Revised Civil Statutes of Texas, 1925, as amended, and Section 2, Chapter 421, Acts of the 55th Legislature, Regular Session, 1957 (Article 1817a, Vernon's Texas Civil Statutes); also adding Brazos County to the First Judicial District; making an appropriation; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 28, An Act authorizing the Central Education Agency to establish a special pilot program for pre-school children who have language disorders and providing for the method of financing the program; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. J. R. No. 6, Proposing an amendment to the Constitution of the State of Texas, authorizing each county in the State of Texas to pay all medical expenses, all doctor bills and all hospital bills for Sheriffs, Deputy Sheriffs, Constables, Deputy Constables and other county and precinct law enforcement officials who are injured in the course of their official duties; providing that while said Sheriff, Deputy Sheriff, Constable,

Deputy Constable or other county or precinct law enforcement official is hospitalized or incapacitated that the county shall continue to pay his maximum salary; and providing that said salary payment shall cease on the expiration of the term of office to which such official was elected or appointed.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 182, An Act amending Article 5434, Revised Civil Statutes of Texas, 1925, as amended, to allow the per diem of the Library and Historical Commission to be set out in the General Appropriation Act; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 17, An Act to include lysergic acid diethylamide and other hallucinogens in the list defining "dangerous drugs," and specifying its possession to be an unlawful act; providing that the illegal sale, manufacture, or furnishing of any dangerous drug is unlawful; amending Subsection (a) of Section 2, Subsection (d) of Section 3 and Section 15, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended (Article 726d, Vernon's Texas Penal Code); and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 614, An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of Texas, to be known as "Galveston Island Ranches Municipal Utility District of Galveston County, Texas"; prescribing its rights, powers, privileges, and duties; providing the District shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions that its bonds are legal and authorized investments; providing for selection of a depository; adopting the ad valorem basis of taxation; providing a procedure to change its name; requiring the District to establish an office; containing other provisions relating to the subject; providing a severability clause; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 29, An Act amending Paragraph a, Subsection (4), Section 1, Article III, Chapter 334, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 2922-13, Vernon's Texas Civil Statutes), by redefining the term "exceptional children" to include language handicapped children and pregnant girls who are residents of or under the care of licensed maternity homes; defining "language handicapped children"; including visual rehabilitation within the meaning of special services; providing for terminating the emotionally disturbed children pilot study and incorporating that program into the regular program for exceptional children; delaying the new programs until the 1968-1969 school year; providing a special pilot program for language handicapped children; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 29, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 295, An Act to be referred to for all purposes as "The Uniform Wildlife Regulatory Act" conferring on the Parks and Wildlife Commission of Texas the authority, power and duty of protecting and regulating the harvest of wildlife resources in various counties; defining such resources; prescribing certain limitations; prescribing the manner of adoption and publication of regulations; providing a penalty for violation; providing for repeal of certain Acts; declaring provisions to be severable and providing a savings clause; and declaring an emergency.

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Sent to Governor

May 29, 1967

S. B. No. 581  
S. B. No. 552  
S. B. No. 17  
S. B. No. 29  
S. B. No. 295  
S. B. No. 614  
S. B. No. 182  
S. B. No. 133  
S. B. No. 500  
S. B. No. 610  
S. B. No. 174  
S. B. No. 627  
S. B. No. 307  
S. B. No. 364  
S. B. No. 615  
S. B. No. 531  
S. B. No. 527  
S. B. No. 624

S. B. No. 528  
S. B. No. 458  
S. B. No. 459  
S. B. No. 546  
S. B. No. 547  
S. B. No. 294  
S. B. No. 612  
S. B. No. 617  
S. B. No. 598  
S. B. No. 599  
S. B. No. 521  
S. B. No. 18  
S. B. No. 214  
S. B. No. 237  
S. B. No. 575  
S. B. No. 576  
S. B. No. 577  
S. B. No. 578  
S. B. No. 609  
S. C. R. No. 85  
S. C. R. No. 92  
S. C. R. No. 94  
S. C. R. No. 29  
S. C. R. No. 95  
S. C. R. No. 19  
S. C. R. No. 47  
S. C. R. No. 88  
S. C. R. No. 91  
S. C. R. No. 89  
S. C. R. No. 90  
S. J. R. No. 6  
S. J. R. No. 41

May 30, 1967

S. B. No. 15  
S. B. No. 628  
S. B. No. 200  
S. B. No. 16

June 5, 1967

S. B. No. 184  
S. B. No. 106  
S. B. No. 28  
S. B. No. 63  
S. B. No. 394

June 18, 1967

S. B. No. 431  
S. B. No. 261

**In Memory of**  
**Mr. Jack McCarter**

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Senator Word offered the following resolution:

(Senate Resolution 760)

Whereas, The death of Jack McCarter of Waxahachie, Texas, has resulted in a great loss to his family and many friends of his home town; and

Whereas, Mr. McCarter was a native of Ellis County, Texas, and had lived in his home town of Waxahachie for many years; and

Whereas, He was a devoted member of the First Christian Church; and

Whereas, He had been a loyal worker in his church, having served in many worthwhile capacities for many years; and

Whereas, He was devoted to his wife, Gladys Richards McCarter and his son, Jack McCarter, Jr., and his family; now, therefore, be it

Resolved, by the Senate of the State of Texas, That this Resolution stand in recognition of the Christian life and dedicated service of Mr. Jack McCarter, and that copies be prepared under the seal of the Senate for his wife, Mrs. Gladys Richards McCarter of Waxahachie; and his son, Jack McCarter, Jr., of Dallas; and, be it further

Resolved, That a page in the Journal of the Senate be set aside in respect to him; and that when the Senate adjourns this day it do so in his memory.

The resolution was read and was adopted by a rising vote of the Senate.